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GENERAL ASSEMBLY
Fifty-second session
Agenda items 36, 37, 67, 71, 81 and 152
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE REGION OF THE MIDDLE EAST
GENERAL AND COMPLETE DISARMAMENT
MAINTENANCE OF INTERNATIONAL SECURITY
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fifty-second year

Letter dated 26 September 1997 from the Permanent Representatives of Egypt and the Russian Federation to the United Nations addressed to the Secretary-General

We have the honour to transmit to you herewith the text of a joint Russian-Egyptian declaration adopted during the talks held in Moscow on 23 September 1997 between Mr. B. N. Yeltsin, President of the Russian Federation, and Mr. H. Mubarak, President of the Arab Republic of Egypt (see annex).

We should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under items 36, 37, 67, 71, 81 and 152 of the agenda, and of the Security Council.

(Signed) S. V. LAVROV
Ambassador
Permanent Representative of the Russian Federation to the United Nations

(Signed) Nabil ELARABY
Ambassador
Permanent Representative of the Arab Republic of Egypt to the United Nations

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ANNEX

Joint Russian-Egyptian declaration adopted in Moscow on 23 September 1997

I. WORLD SITUATION

1. Mr. B. N. Yeltsin, President of the Russian Federation, and Mr. H. Mubarak, President of the Arab Republic of Egypt, after considering the world situation, have concluded that opportunities are arising today for the formation of a qualitatively new system of mutual relations between States, a system which would be multipolar in structure and based on a partnership of equal rights and the consistent implementation of the principles and of the whole Charter of the United Nations in the interests of attaining peace and stability, improving the situation in the world and in individual regions and raising the standard of living of peoples. Coordinated international efforts are required so that peoples will be able to take advantage of the acceleration of the historical process and begin to use the achievements of science and technology in the interests of all mankind and of security and prosperity. The diversity of cultural and social values of peoples and civilizations must become an integral part of the common heritage of mankind. There is an urgent need for the observance of the generally recognized rights of man with full respect for national characteristics and cultural traditions.

2. World development must not take the path of expanding and strengthening military blocs and demarcating new lines of division, but must move towards the establishment of stable structures of international security on a collective basis.

3. The Russian Federation and Egypt are prepared to work together to enhance the effectiveness of the United Nations. They greatly value the role played by the United Nations and its Security Council in the maintenance of peace, the settlement of existing international and local conflicts and the prevention of the emergence of new such conflicts. At the same time, when the Security Council, in accordance with the Charter, adopts a decision to impose sanctions, the damage resulting from the application of the sanctions, as well as the damage for third countries and neighbouring regions, must be kept to a minimum. The sanctions themselves must have time limits. The sanctions should, at the appropriate time, be eased and lifted as the resolutions of the Security Council are implemented.

4. What is needed is a comprehensive and balanced approach to questions of security and more energetic international cooperation to strengthen non-proliferation regimes, improve peacekeeping activities and reduce the danger of the outbreak of conflicts.

5. The Russian side notes the great positive potential in the proposal of President Mubarak for the establishment in the Middle East of a zone free from weapons of mass destruction and the means for their delivery.

6. The Egyptian side greatly appreciates the effort made by the Russian Federation to achieve further progress towards agreements with the United States of America on strategic arms limitation and the complete victory over nuclear confrontation.

7. Security and stability on the European continent are organically linked to security in the Mediterranean Sea, the Middle East and other adjacent regions, including the Black Sea. Ideas and practical actions to ensure security and stability in one region must be accompanied by measures in the same direction in other regions.

8. The Commonwealth of Independent States is an important factor for stability and development in Eurasia and in the world as a whole.

9. Both sides intend to participate actively in international efforts directed towards the intensification of cooperation in combating terrorism, trafficking in narcotics, money laundering and other activities of organized crime. They reaffirm their adherence to the decisions adopted at the high-level meeting held at Sharm El Sheikh in March 1996.

II. THE MIDDLE EAST PEACE PROCESS AND THE SITUATION IN THE REGION

10. The Russian and Egyptian sides express their conviction that a lasting and comprehensive peace, stability and security must be guaranteed in the Middle East together with opportunities for the prosperity of all peoples living there. The basis for creating such conditions must be the readiness of all States firmly and steadfastly to abide by the principles of mutual respect, safeguarding of territorial integrity and independence and the exercise of the legitimate right of peoples to self-determination, as well as adherence to the purposes and principles of the Charter of the United Nations and international agreements.

11. There has been significant progress in the peace process which began in Madrid in 1991. The way is open for a historic reconciliation between Arabs and Israelis on the basis of the principle of "land for peace". This principle must be implemented in a comprehensive manner. It is necessary to prohibit unilateral actions that might have a negative impact on the negotiating process, in particular the construction of settlements in the occupied territories.

12. The Russian Federation and Egypt call for an increase in international efforts to overcome difficulties standing in the way of a peaceful settlement. They believe it is necessary to ensure continuity in fulfilling all obligations that have been and will be specified within the framework of the Arab-Israeli talks, unconditional adherence by the parties to the Middle East settlement to the agreements reached and a willingness to implement them fully. The Russian Federation, as one of the sponsors, and Egypt, as one of the initiators of and principal participants in the Middle East peace process, intend to promote the resumption of and consequential continuation of the Arab-Israeli talks in all areas and on all outstanding problems.

13. The Russian side welcomed the important contribution made by Egypt to the search for mutually acceptable solutions in the peace process and confirmed the significance of the decision of the conference of the heads of State and Government of Arab countries held at Cairo in June 1996 under the chairmanship of President Hosni Mubarak, which stressed that peace is the strategic choice of the Arab States.

14. The Egyptian side expressed its appreciation for the constructive role played by the Russian Federation in promoting a Middle East settlement, satisfaction at the intensification of joint efforts undertaken by the co-sponsors with the United States of America and its cooperation with the States of the European Union and the international community in overcoming all difficulties and ensuring compliance with earlier agreements.

15. There is a close interrelationship between security and stability in the Middle East and the area of the Persian Gulf. The establishment of a lasting system of regional security in the Persian Gulf area that would take into account the interests of all countries of the region is a pressing task.

16. The Russian Federation and Egypt believe that it is necessary to continue to search for compromise solutions to the Libyan question that are consistent with international law.

17. Both sides drew attention to the need to preserve the sovereignty and territorial integrity of Iraq. They advocated the prompt settlement of all outstanding questions in the "Iraqi file" and the restoration of Iraq's status as a full member of the international community to the extent that the relevant resolutions of the Security Council are implemented. The Russian Federation and Egypt consider that implementation of Security Council resolution 1111 (1997) of 4 June 1997 is of not only humanitarian but also great political significance and will foster an improvement in the climate surrounding Iraq.

III. RUSSIAN-EGYPTIAN RELATIONS

18. The Russian Federation and Egypt base their bilateral relations on the principles of cooperation founded on equality and mutual trust, responsibility to the international community and coinciding or similar approaches to principal international problems.

19. The ties between the Russian Federation and Egypt that are developing in the economic, cultural, humanitarian and other spheres are based on mutual respect for the specific national and cultural characteristics of the two peoples and their traditions of friendship.

20. The Russian Federation views Egypt as a friendly Arab State that occupies a special place among the countries of the Middle East, Africa and the Mediterranean and is pursuing an active policy in world affairs.

21. Egypt considers the Russian Federation to be a great and friendly country which plays a highly significant and constructive role in international

relations and has long-standing cultural and historical ties to the peoples and countries of the Middle East, whose interests and aspirations it shares.

22. Both sides intend actively to use and strengthen the system of contacts that has been established at the summit and high levels. The heads of State and Government and the Ministers for Foreign Affairs shall continue their regular exchanges of views on questions pertaining to their bilateral relations and principal international problems.

23. The Russian Federation and Egypt reaffirm their firm intention to develop their trade, economic, cultural and scientific relations and believe that this area offers considerable unexplored opportunities.

24. Given the importance of intensifying the search for new forms of cooperation, including cooperation between representatives of business circles, both sides have agreed to hold an economic conference in Cairo in the autumn of 1998 to define a strategy for the development of economic relations between the Russian Federation and Egypt.

25. It was agreed to give further impetus to the work of the Joint Russian-Egyptian Commission on Trade and Economic, Scientific and Technological Cooperation and to the implementation of all bilateral understandings and agreements.

26. In the light of the foregoing, both sides look to the future with confidence and optimism, and look forward to a broadening of the horizons of their mutual relations in all fields.

For the Russian Federation:

B. YELTSIN

For the Arab Republic of Egypt:

H. MUBARAK

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LETTER DATED 30 SEPTEMBER 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the fourth report received from the Chairman of the International Monitoring Committee established pursuant to the mandate of the Inter-African Mission to Monitor the Implementation of the Bangui Agreements (MISAB), as requested by the Security Council in its resolution 1125 (1997) of 6 August 1997. I should be grateful if you would bring the letter and its enclosure to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

[Original: French]

Fourth report to the Security Council pursuant to resolution 1125 (1997) concerning the situation in the Central African Republic

(29 September 1997)

INTRODUCTION

1. On 6 August 1997, the Security Council unanimously adopted resolution 1125 (1997), in which it approved the continued conduct by Member States participating in the Inter-African Mission to Monitor the Implementation of the Bangui Agreements (MISAB) of the operation to achieve its objective to facilitate the return to peace and security by monitoring the implementation of the Bangui Agreements. Acting under Chapter VII of the Charter of the United Nations, the Council authorized the Member States participating in MISAB and those States providing logistical support to ensure the security and freedom of movement of their personnel. It decided that that authorization would be limited to an initial period of three months, after which the Council would assess the situation on the basis of the reports submitted to the Secretary-General of the United Nations at least every two weeks by the Member States participating in MISAB.

2. This is the fourth report which the Security Council requested the Member States participating in MISAB to provide pursuant to paragraph 6 of resolution 1125 (1997). It was prepared by the International Monitoring Committee to supervise the implementation of the Bangui Agreements, which includes the representatives of the States members of the International Mediation Committee (Gabon, Burkina Faso, Chad and Mali) and a consultant from the United Nations Development Programme (UNDP), in collaboration with the MISAB Command, which consists of high-ranking officers representing all of the Member States participating in MISAB, including Senegal and Togo.

3. This report describes developments in the situation in the Central African Republic from 17 September to 1 October 1997.

POLITICAL LEADERSHIP

4. Both the International Monitoring Committee to supervise the implementation of the Bangui Agreements and the Inter-African Mission to Monitor the Implementation of the Bangui Agreements are under the political authority of General Amadou Toumani Touré, former President of the Republic of Mali, Chairman of the International Monitoring Committee and personal representative of the heads of State concerned.

5. The International Monitoring Committee to supervise the implementation of the Bangui Agreements, chaired by General Touré, includes one representative of

each of the four heads of State of the members of the International Mediation Committee, as well as the consultant from UNDP, who acts as a diplomatic adviser to the Committee.

6. Thus, the International Monitoring Committee is the body which directs the actions of MISAB, since it receives the necessary political guidance directly from the heads of State concerned, and especially from the President of the Gabonese Republic, who is Chairman of the International Mediation Committee.

7. The International Monitoring Committee has adopted a plan of action which reflects the gist of the main provisions of the Bangui Agreements in the form of a timetable, which can be outlined as follows:

- Formation of a government of national union;
- Adoption of an amnesty act covering those who committed offences in the context of the third rebellion;
- Disarmament (surrender of weapons by the former rebels in honour and dignity, and recovery of weapons by MISAB from militias and civilian populations);
- Implementation of the recommendations of the General Meeting on National Defence;
- Situation of former heads of State;
- Suspension of the parliamentary audit;
- Final phase of national reconciliation through a number of actions aimed at consolidating peace and security (organization of regional and sectoral awareness-raising seminars, organization of a National Reconciliation Conference, elaboration of an electoral code, access by political parties to the State media and other measures).

8. MISAB is under the patronage of President El Hadj Omar Bongo of Gabon, senior head of State of the International Mediation Committee. It is under the political authority of General Amadou Toumani Touré, Chairman of the International Monitoring Committee.

9. From 17 September to 1 October 1997 the International Monitoring Committee continued its work pursuant to its mandate.

Government of national union

10. It should be recalled that on 1 September 1997 the Government of Action in Defence of Democracy was re-established in its original form, as constituted prior to 6 May 1997, following four months of crisis. Thus the Government of Action in Defence of Democracy in its entirety resumed its normal activities on 2 September 1997.

11. The formal opening of the project to rebuild a number of major national highways which had fallen into serious disrepair for want of regular maintenance provided an opportunity for the President of the Republic and head of State to be seen publicly not only with the Government of Action in Defence of Democracy but also with the President of the National Assembly, former President David Dacko, the heads of several institutions, the diplomatic corps, the International Monitoring Committee, a delegation from the MISAB Command, leaders from several political parties and a sizeable crowd. This ceremony, which took place in an outlying area of Bangui, was the first of its type since the onset of the crisis in April 1996. In the view of many observers of the political scene in the Central African Republic, the presence of President Patassé at the ceremony was an obvious indication that tensions are gradually relaxing and thus that the process of national reconciliation is beginning, although the absence of certain leaders of the radical opposition was noted. In fact, the head of State had not taken part in any public events since the first rebellion broke out in April 1996.

Implementation of the amnesty act covering offences relating to the third rebellion and the misappropriation of public funds under investigation

12. The amnesty act, which was promulgated on 15 March 1997, is currently being implemented with a great deal of pragmatism and understanding. It is not being implemented blindly as regards the sanctions to be taken against citizens who may be illegally in possession of weapons following the 15-day deadline established by the law. The head of State and the relevant political authorities have thus far shown a sense of responsibility and level-headedness and have taken into account the exceptional political situation in which this law should be applied in all its aspects.

13. This pragmatism has enabled the International Monitoring Committee to negotiate with the former rebels and to persuade them to hand over their weapons with honour and dignity. It is in that same context that Lieutenant-Colonel Evariste Martial Konzzale, Minister to the Office of the Minister for Territorial Administration, who is responsible for public security and disarmament, has, as head of a technical commission consisting of, inter alia, 10 resource persons (deputies, area heads, former rebels) paid by UNDP, with the participation of the International Monitoring Committee and MISAB, been conducting an awareness-raising and weapons recovery campaign among the civilian population since 12 August 1997.

Disarmament

14. This is, without a doubt, the most sensitive phase of the national reconciliation process. Two major phases are envisaged which will make it possible to carry out this operation effectively:

(a) The awareness-raising and voluntary participation phase;

(b) The investigation, intervention and implementation-of-the-law phase.

15. The voluntary participation phase is the preliminary period which will end on 30 September 1997 as stipulated in the ministerial order of 5 September 1997.

Its purpose is to raise the awareness of the Central African people by a campaign conducted on the radio, television and in the written press and also by putting up banners and posters bearing slogans supporting peace, national unity, national reconciliation and disarmament in the main streets of Bangui. Any patriotic citizens who turned in their weapons of their own accord would be rewarded for doing so, in order to encourage all the other ones to return any weapons they might have in their possession. It should be pointed out here that this is in no way a weapons buy-back operation.

16. After recovery of the weapons of the former rebels, the second phase of disarmament will involve collecting weapons from civilians, militias and illegal holders of weapons. For this purpose the International Monitoring Committee, in agreement with the Government of the Central African Republic, has recruited 10 resource staff (deputies, neighbourhood leaders, former rebels, opinion leaders) as chairmen of local disarmament committees in their respective zones. This staff, following deployment to districts, established disarmament committees in each neighbourhood. Their role is to inform the local population through neighbourhood meetings, rallies, talks, discussions and small gatherings and neighbourhood visits, so as to convince the population of the need to turn in illegally held weapons.

17. UNDP has established funding in the amount of 40,000 United States dollars for the 10 resource staff, dignitaries, neighbourhood leaders and opinion leaders. People voluntarily turning in weapons or helping in their collection will receive a token reward. The reward, in the amount of 2,500 to 5,000 CFA francs ($5 to $10) according to the type of weapon, is intended primarily to exonerate civilians turning in weapons. There are special terms for heavy weapons: CFAF 15,000 to CFAF 75,000 ($30 to $150), depending on the type of weapon. With effect from 1 October 1997, anyone with weapons in their possession will be the target of legal action and the authorities will make use of the police and constabulary as needed. MISAB will be prepared to deal with the situation, should matters get out of hand.

18. The investigations, intervention and implementation-of-the-law phase will begin immediately following the first one. It will involve collaborating with informers compensated according to the quality of their information. This will make it possible to locate any weapons caches. During this second period anyone found to be illegally in possession of a weapon will be handed over to the authorities. In addition, MISAB will conduct searches, together with the national defence and security forces other than the presidential security force.

19. The awareness-raising campaign of the Technical Commission on Disarmament, headed by Lieutenant-Colonel Konzzale, was started on 12 August 1997 and is continuing in the various areas of Bangui and at the level of the various religious groups, as well as on radio and television.

20. The involvement of religious groups in the campaign to promote awareness of national reconciliation in general and of disarmament in particular is extremely valuable in a country where religions exert a major influence on the people. No tensions exist in the Central African Republic between the various faiths practised by the population. Protestants of all denominations, Roman Catholics, Muslims and animists have peacefully coexisted for decades. This was borne out

on 28 September when an ecumenical day was organized by leaders of all religions and their congregations united in a single faith: the conviction that they were making an effective contribution to the restoration of peace by fostering a collective awareness among all those still in illegal possession of weapons that would lead them to cooperate with the neighbourhood disarmament units. This day led to the holding of a major worship service in the National Assembly gardens sponsored by the head of State and with the participation of many political figures from both the majority party and the opposition.

21. On Friday, 26 September 1997, Minister Konzzale and his counterpart for human rights, national reconciliation and the promotion of democratic culture, Mr. Laurent Gomina-Pampali, held a working meeting in a hall of the National Assembly in which members of the International Monitoring Committee and leaders from political parties of every persuasion participated. The meeting assessed the progress made in the area of disarmament and thus of national reconciliation. While all the participants welcomed the progress achieved thus far in recovering weapons taken from the State arsenal during the rebellion, some concern was expressed from different sides at the proliferation of military weapons that appeared to have been brought in illegally by certain political groups. This allegation has yet to be verified. In the interest of all parties, the Technical Commission on Disarmament will take all appropriate and necessary steps to locate and recover these weapons, if any are still in circulation after 30 September 1997.

22. After this meeting, it was decided to observe a national day of disarmament and peace on 30 September, during which prayers would be said in all churches and mosques in the Central African Republic. All political parties agreed to sign and issue a joint appeal to the people of the Central African Republic on 30 September, calling upon them to commit themselves firmly to the way of peace and national reconciliation and to turn in any weapons held illegally.

23. At the invitation of the International Monitoring Committee, Captain Anicet Saulet, who has primary responsibility for the former rebels, joined the chairmen of the neighbourhood disarmament committees, including Lieutenant Parfait Mbay (former spokesman for the former rebels) in making a final appeal on radio and television on 26, 27 and 28 September 1997 to those civilians and military personnel who had not yet turned in weapons that were in their possession illegally.

24. All these initiatives show the extent to which the overwhelming majority of Central African citizens, including the former rebels, are in favour of peace and national reconciliation.

25. Since the signing of the Truce Agreement on 28 June 1997 and the Ceasefire Agreement on 2 July 1997, the following weapons have been turned over to MISAB:

Heavy weapons

Designation	Quantity	Increase (17-29 September 1997)
120 mm mortars	surrendered: 2 out of a total of 4	2
81 mm mortars	surrendered: 9 out of a total of 15	3
60 mm mortars	surrendered: 12 out of a total of 19	1
14.5 mm machine-guns	surrendered: 6 out of a total of 6	
12.7 mm machine-guns	surrendered: 2 out of a total of 3	
75 mm recoilless guns	surrendered: 2 out of a total of 2	
73 mm anti-tank rocket launchers	surrendered: 66 out of a total of 67	2
Rocket-propelled grenades	surrendered: 7 out of a total of 11	1
Total	surrendered: 106 out of a total of 127	9
	(weapons recovered: 83.46 per cent)	7.09 per cent

Light weapons

Designation	Quantity	Increase (17-29 September 1997)
Hand-guns (misc)	surrendered: 11 out of a total of 111	4
Submachine-guns	surrendered: 281 out of a total of 459	60
Assault rifles	surrendered: 241 out of a total of 541	43
MAS 36-49/56-M14 rifles + muskets	surrendered: 608 out of a total of 1,181	119
Light machine-guns	surrendered: 51 out of a total of 80	4
.30-calibre machine-guns	surrendered: 13 out of a total of 17	
Total	surrendered: 1,205 out of a total of 2,389	230
	(weapons recovered: 50.43 per cent)	9.62 per cent

26. The relatively low rate of recovery of light weapons can be explained as follows:

(a) These are light personal weapons that are easily transported and have probably been taken out of Bangui;

(b) Some of these weapons were probably buried: efforts to dig them up are continuing as information is provided, with varying degrees of success;

(c) Others, particularly hand-guns (automatic pistols), are easily camouflaged and may have been sold to as yet unidentified persons;

(d) Still others may have been taken from the State arsenal during the second rebellion (May 1996) and were never returned before the outbreak of the third rebellion;

(e) An indeterminate number of light weapons that have not been recovered may have been thrown into the Ubangi River or into the forest by former rebels fleeing in June 1997 after encounters with MISAB;

(f) Some former rebels, equal in number to a company (132 men) and all armed with light weapons, never returned to their barracks. According to knowledgeable sources, many of these may have left the Central African Republic taking their weapons with them.

27. The recovery of light weapons is thus slow, despite intensive efforts by the neighbourhood disarmament units and the active collaboration of many upright citizens.

28. A sizeable quantity of munitions of various types was recovered and packaged. The status of these munitions as at 29 September 1997 is set out below:

Designation	Quantity	Remarks
5.56 mm rounds	68 616	+ 466
7.5 mm SLC rounds	14 000	
7.5 mm S/B rounds	104 895	+ 17 625
7.5 mm X rounds	34 000	
7.5 mm X S/B rounds	135	
7.62 mm rounds, NATO	15 962	
7.62 mm Kalashnikov rounds	13 862	+ 13 862
7.62 mm long rounds	120 497	+ 2 856
7.62 mm Tokarev rounds	900	
9 mm Para rounds	3 434	+ 2 084
.12-calibre riot control rounds	711	
12.7 mm rounds	271	+ 271
14.5 mm rounds	14 192	+ 292
37 fragmentation hand grenades	1 750	+ 137
Fragmentation hand grenades, China	2 670	+ 646
GR FLG AP34	3	
RPG 7 rockets	440	+ 86
37 stun hand grenades	1 004	+ 25
FL LAC F4 hand grenades	1 282	+ 57
F4 hand grenades	316	
DFRUSS	1	
60 mm mortars	1 705	+ 81
81 mm mortars	667	+ 34
120 mm mortars	57	+ 5
75 mm recoilless rifle rounds, US	166	
75 mm recoilless rifle rounds, China	223	No weapons in inventory
M79 40 mm rounds, US	6 060	No weapons in inventory
Time fuses (inactive)	23 252 325	
7.5 mm grenade cartridges	755	

A significant quantity of miscellaneous munitions, handed over loose, not suitable for firing, will be destroyed by the competent weapons and munitions units. An analysis will be made available in due course.

Recommendations from the General Meeting on National Defence

29. It appears that quite a few of the claims made by the former rebels could be answered by responsible implementation of the 282 recommendations made at the General Meeting on National Defence which was held in August 1996 at Bangui.

That is why the International Monitoring Committee, true to the spirit of the Bangui Agreements, proceeded, in April 1997, to set up an ad hoc committee to examine the said recommendations carefully and to set up a schedule for their implementation, breaking them down into categories according to what could be applicable in the short-, medium- and long-term based on the sensitivity of the areas to which the recommendations relate and, above all, the financial resources that would have to be mobilized. The results of the work of the ad hoc committee, which was presided over by a leader of the opposition, General Timothée Malendoma, a former prime minister, have already been transmitted by the International Monitoring Committee to the Ministry of Defence for implementation at the various relevant levels. Since the International Monitoring Committee is merely a mediating body, it must leave the decisions on these matters to the relevant Central African authorities, while remaining ready to serve as arbitrator should the need arise.

Situation of former heads of State

30. A revised bill has just been prepared by the Government for submission to the National Assembly at its next session, which will be held in October. Assurances in this regard were provided to the International Monitoring Committee by the expanded bureau of the National Assembly at the meeting on 4 September 1997.

Suspension of the parliamentary audit

31. The Bangui Agreements call for the suspension, then the abandonment "of the judicial enforcement of the parliamentary audit" opened in respect of persons presumed to have misappropriated public funds under the previous regime, for it was understood that the audit had been conducted in a very selective manner and was creating more problems than it was resolving. The International Monitoring Committee, respecting the spirit of the Bangui Agreements, proposed that the Central African Republic should, by a legislative act, formally renounce proceedings against authors of offences identified by the parliamentary audit. It was generally agreed that such an act would undoubtedly be taken in the context of the next session of the National Assembly.

National reconciliation

32. Each of the points mentioned above constitutes as many phases on the road leading towards national reconciliation. The present section therefore concerns the final phase of this exciting process.

33. The International Monitoring Committee, supported by UNDP, is already engaged in making preparations for awareness-raising seminars, symposia and meetings; the first phase will take place at the provincial level and be targeted at specific groups (such as trade unions, women's organizations and youth movements), and the second phase will take place nationally, in the form of a national reconciliation conference, as recommended by the Bangui Agreements. For this purpose, the Committee is working in close cooperation with the Minister for Human Rights, National Reconciliation and Promotion of a Democratic Culture, who chairs the technical commission on awareness-raising under the patronage of the Prime Minister. At the most recent weekly meeting,

held on 27 August 1997, the participants appraised the cost of each of the activities in question and targeted potential sources of funding. In this regard, the Central African Government, the International Monitoring Committee and UNDP are determined to involve the backers closely in the activities scheduled to be carried out under the process of national reconciliation.

34. A timetable of activities covering the period 1 October to 1 December 1997 (the national holiday of the Central African Republic) has been prepared jointly by the Minister for National Reconciliation, the UNDP Resident Representative and the International Monitoring Committee. This will be useful in coordinating the many activities to be carried out in this last phase of the process that began with the signing of the Bangui Agreements.

35. In the context of the restructuring of the Central African Armed Forces, the International Monitoring Committee had requested UNDP to set up a fund to assist military personnel wishing to leave active service in returning to civilian life, and UNDP had agreed to do so. UNDP launched a project on demobilization, retraining and reintegration for the Central African Armed Forces, which would make it possible to reduce the cost of operating the armed forces and facilitate their restructuring. All Member States and international organizations may make contributions to the fund in question, which will initially be for an amount of approximately $2 million.

36. A first estimate indicates that 1,000 or more soldiers will be involved in this project. UNDP has proposed Mr. Gustave Fernando González Gasques as head of the project. Of Argentine nationality, he has solid experience in the area of demobilization and reintegration of former soldiers into civilian life. He has managed this type of activity in Nicaragua, Mozambique, Liberia and Angola. His candidature has been accepted by the Central African Government. The UNDP Resident Representative in Bangui is awaiting the arrival of the project head to launch the operational phase.

COOPERATION WITH THE CENTRAL AFRICAN AUTHORITIES AND INTERNATIONAL ORGANIZATIONS

37. Pursuant to its mandate, the International Monitoring Committee maintains constant contact with the various Central African authorities to ensure the implementation of the provisions of the Bangui Agreements. In this connection, it is regularly consulted both by the President of the Republic and head of State and by the Prime Minister and head of Government, as well as by the National Assembly, on a considerable number of issues concerning the life of the Central African nation.

38. The International Monitoring Committee, acting on behalf of MISAB and/or on its own behalf, maintains regular contacts with international organizations, including UNDP and foreign diplomatic missions based in Bangui, with a view to requesting their diplomatic, financial and material support for mediation initiatives in the Central African Republic.

39. In the period covered by this report, the International Monitoring Committee was received by the President of the Republic to discuss, among other

things, issues relating to the recovery of weapons in circulation among the civilian population and various measures relating to the clandestine infiltration of a number of partisans of the late President Mobutu, who made no secret of their intention to join forces to destabilize the new regime of the Democratic Republic of the Congo. President Patassé informed the International Monitoring Committee and MISAB that, under the policy of good-neighbourliness he had always practised towards his sister country, he would not allow his country to become a base of operations for opponents engaged in a policy of destabilization.

LOGISTICAL AND TECHNICAL SUPPORT TO THE INTERNATIONAL MONITORING COMMITTEE

40. Project CAF/97/001, through which UNDP contributes its logistical and technical support, was to be terminated at the end of September 1997 for lack of funds. In a letter dated 4 September 1997 addressed to the Chairman of the International Monitoring Committee, the Resident Representative of UNDP in Bangui drew attention to this situation, but noted that Ambassador René-Valéry Mongbé and the consultant Abel Balenguele, whose contracts expire on 31 October, could continue their mission until that date. In another letter, dated 23 September 1997, the UNDP Resident Representative in Bangui notified the Chairman of the International Monitoring Committee that his agency was willing to maintain its logistical and technical support to the Committee with a reduced staff, so that it could carry out its mission.

41. The new measures taken by UNDP would certainly allow the Committee to continue to function, but this will apparently not be sufficient to solve the many political problems that would arise with mediation, given that the Committee will enter a new phase in the implementation of its action plan in the first few days of October:

- Consideration of the situation of former heads of State;
- Abandonment of the judicial enforcement of the parliamentary audit;
- Coordination of activities relating to the organization and conduct of various seminars and conferences provided for in the context of national reconciliation;
- Solving of problems arising in the execution of the project on demobilization, retraining and reintegration for the Central African Armed Forces.

In any case, it is difficult to see how the mediation effort, and thus the rest of the process, can continue without a mediator.

42. The sending of one or two civilian and/or military officials to Bangui to seek clarifications that may be requested by the Security Council seems an interesting idea, but it deserves to be more carefully studied. Perhaps a military liaison officer could be sent to the field to study, in collaboration with the International Monitoring Committee and MISAB, the ways in which the

international community could help set up an international observer force and strengthen the mandated force of MISAB so as to ensure the peaceful conduct of the forthcoming elections. The idea of sending a person to deal with political matters is not necessary, since the UNDP consultant, Ambassador Mongbé, using his considerable knowledge of the field, is playing that role to the satisfaction of all the parties concerned. For the moment, the crisis situation has not worsened. On the contrary, the International Monitoring Committee, with which Ambassador Mongbé is closely associated, has entered the final phase of national reconciliation with a well-targeted programme. The International Monitoring Committee is ready to provide, impartially and neutrally, any information or clarification which the United Nations Security Council or Secretariat may request.

DEPLOYMENT OF THE FORCE

43. It should be recalled that, at the request of the mediator, General Amadou Toumani Touré, and with the agreement of the Conference on Consensus-Building and Dialogue, held in Bangui from 11 to 16 January 1997, the heads of State of Gabon, Burkina Faso, Mali and Chad decided to send an inter-African force with logistical support from France. This force, known as the Inter-African Mission to Monitor the Implementation of the Bangui Agreements, includes, in addition to troops from Gabon, Burkina Faso, Mali and Chad (the countries members of the International Mediation Committee), troops from Senegal and Togo, as a result of the decision of President Abdou Diouf and President Gnassingbé Eyadema to contribute to this gesture of African solidarity.

44. The activities of MISAB are governed by the mandate assigned to it by the heads of State concerned (see S/1997/561). These daily activities are many and complex, and can be summed up as actions aimed at preventing confrontation between the two main forces in question, the loyalists of the Central African Armed Forces and the former rebels.

45. MISAB, which is deployed throughout the city of Bangui, is ensuring security in all neighbourhoods of the Central African capital by occupying 20 surveillance posts, and is carrying out patrols nightly in each of the city's eight districts.

46. The MISAB force currently consists of six contingents with a strength of 796 soldiers (officers, non-commissioned officers and other ranks), distributed as follows:

Burkina Faso	114
Chad	147
Gabon	149
Mali	113
Senegal	153
Togo	120

The force is provided with a French logistical support command unit, with 88 men. A French liaison and assistance detachment, with 39 men, has been made available to MISAB.

47. Owing to the development of organized crime, with the passive or active complicity of the former rebels, the activities of MISAB have been extended, with the agreement of the parties concerned, to operations to maintain security in the various neighbourhoods. Since the signing of the Ceasefire Agreement on 2 July 1997, MISAB has participated, on the basis of a consensus, in joint security patrols with approximately 120 men, consisting of MISAB personnel and Central African security and defence forces in all districts of Bangui.

48. Apart from the security patrols which have brought peace and quiet to Bangui, MISAB is the only force to receive requests for assistance from all neighbourhoods in the city. During the period from 17 to 29 September 1997 these included:

Humanitarian assistance

7 medical evacuations for various injuries;

8 medical evacuations during the night for childbirth;

2 medical evacuations for various illnesses.

Responses to night-time calls relating to assaults

3 cases involving threats;

5 cases of assault or appeals for help;

2 cases of armed robbery;

6 cases of various types of theft.

49. In the daytime, it is also MISAB that provides security and escorts for convoys to supply fuel, a strategic product to be delivered to all the stations of PETROCA, the national petroleum products distribution company, from the Kolongo fuel depot, which is located in an area previously controlled by the former rebels. MISAB was deployed to complement the actions of the various security services, which had been weakened by the rebellion.

Reports of incidents

50. During the fortnight from 17 to 29 September 1997, MISAB security activities resulted in the following:

1 murder;

3 violent physical attacks resulting in injury;

4 robberies (cash, various articles and items of equipment).

The perpetrators of these offences were apprehended and turned over to the Gendarmerie Nationale Centrafricaine, which conducted investigations and filed reports. It should be noted that the crime rate in Bangui and the surrounding area has continued to fall. There has been a distinct improvement in the security situation. There has been a considerable relaxation of tension, and Bangui is looking more and more like a peaceful city. Economic and cultural life and organized sports are resuming, as are international contacts.

LOGISTICAL SUPPORT TO THE MISSION

51. MISAB receives logistical support from the following sources:

(a) Each of the participating States with troops in Bangui provides its personnel (officers, non-commissioned officers and other ranks) with their regular pay and supplies them with weapons;

(b) France, which signed the Bangui Agreements as an observer, has agreed to provide logistical support to the various contingents as follows:

- Payment of the soldiers' total food allowance and daily subsistence allowance at the rates currently applicable to Central African military personnel;

- Payment of rents for the buildings used by military personnel and the MISAB Command;

- Provision of tactical and support vehicles for the force;

- Supply of fuel and vehicle maintenance;

- Supply of office equipment.

An overall evaluation of the cost of deploying MISAB in Bangui cannot be conducted until the end of the mission. However, taking all expenses into account, the cost of the logistical support provided to MISAB by France amounts to some CFAF 350 million a month, or approximately $600,000;

(c) The Government of the Central African Republic is supplying vehicles for use by command personnel;

(d) The Organization of African Unity (OAU) made a special grant in the amount of $40,000 in March 1997 to assist the various contingents. A second special grant of $60,000 has been made jointly to the International Monitoring Committee and MISAB.

52. In the course of the various operations conducted by MISAB, and particularly during the confrontations of 22 and 23 March and 20 to 26 June, the force suffered the following losses: 6 dead (3 Chadian soldiers, 2 Gabonese soldiers and 1 Senegalese soldier) and 20 wounded (13 Chadian soldiers, 5 Senegalese soldiers, 1 Malian soldier and 1 Gabonese soldier).

CONCLUSIONS

53. The current experience with the Central African crisis is unique and is all the more stimulating in that it is unlike any previous experience. However, there is a risk that this progress may be jeopardized in view of the social problems associated with the payment of outstanding back wages, pensions and scholarships.

54. It is fortunate that UNDP has been understanding enough to maintain its logistical and technical support for the International Monitoring Committee so that it may continue to fulfil its mission. The Committee pays tribute to UNDP for its willingness to cooperate, without which the current experience would have been only an illusion.

55. It is strongly recommended that the mandate of the Inter-African Mission to Monitor the Implementation of the Bangui Agreements be extended (even if it must be modified eventually) in order to continue to ensure security and consolidate peace until the elections are held in 1998.

56. It must be pointed out that, owing to the insufficiency of the African countries' own resources, logistical support from the international community, along the lines of the support which France has provided to MISAB and which remains open to contributions from all other States, is still needed.

57. The International Monitoring Committee and MISAB welcome the understanding of this issue expressed by the Security Council after its consideration of the first three reports. They hope that the appeal made to the international community by the President of the Council will be met with action.

58. It is fitting to mention here the ways in which life in Bangui and the rest of the country has returned to normal (or nearly so):

- Virtually all government offices have resumed operations as a result of the newly restored peace and the recent efforts by the Government to pay them a month's wages; even if wages continue to be paid monthly, the Government is not yet in a position to solve the sensitive issue of back pay;

- Hotels, restaurants, refreshment stalls and bars, night clubs and dance halls have reopened;

- Schools and universities ended the academic year under satisfactory circumstances: even examinations went forward as usual;

- Almost all businesses have reopened;

- Markets have resumed their normal operations;

- Public transport is working and traffic is once again heavy in commercial areas and the surrounding neighbourhoods;

- Airlines (Air Afrique, Air France and Air Gabon in particular) have resumed regular service to Bangui;

- Lastly, the free movement of persons and goods from place to place within the capital, which had been a divided city since the third rebellion, has become a reality.

59. Bangui has entered a new era with determination, an era marked by a gradual rebuilding of confidence and the resumption of activities in numerous spheres, which is a sign that peace has been restored. That peace must now be consolidated.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/760
1 October 1997

ORIGINAL: ENGLISH

LETTER DATED 30 SEPTEMBER 1997 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from the British Government, I have the honour to transmit to you a response to the letter dated 1 September 1997 from the Iraqi Chargé d'affaires (S/1997/679) quoting allegations in the press that British soldiers killed Iraqi prisoners of war in 1991.

The British Government are aware of certain allegations about the conduct of British service personnel at the time. Such allegations must obviously be a matter for serious concern. That is why we have initiated thorough investigations in which all persons connected with the allegations will be interviewed. So far, I can tell you that no evidence has been adduced that would corroborate allegations of mistreatment of Iraqi prisoners of war.

It is the clear and firm policy of the United Kingdom that all prisoners of war should be treated in full accordance with the provisions of the Geneva Convention relative to The Treatment of Prisoners of War, of 12 August 1949, under the scrutiny of the International Federation of Red Cross and Red Crescent Societies. This policy was rigorously applied during the Gulf War in 1991. It is in stark contrast to Iraqi treatment of British prisoners of war over the same period. If our investigation were to uncover evidence that substantiated the current allegations, you may be sure that the British Government would take all possible steps to bring offenders to justice.

I should be grateful if you could circulate this letter as a document of the Security Council.

(Signed) John WESTON

97-25979 (E) 011097

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/760*
2 October 1997

ORIGINAL: ENGLISH

LETTER DATED 30 SEPTEMBER 1997 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

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I should be grateful if you could circulate this letter as a document of the Security Council.

(Signed) John WESTON

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* Reissued for technical reasons.

97-26139 (E) 021097

UNITED NATIONS **A S**

General Assembly
Security Council

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A/52/411
S/1997/761
1 October 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 29 September 1997 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to new violations of the airspace of the Republic of Cyprus and of the flight information region of Nicosia by military aircraft of the Turkish Air Force, which took place on 10 and 12 September 1997.

On 12 September, from 0758 to 1110 hours, 15 Turkish military planes, 12 F-16 fighter jets and three C-160 planes violated the national airspace of the Republic of Cyprus, entering from the south-west and flying over Apostle Andreas Cape. From 0845 to 1134 hours the same planes once again violated the national airspace of the Republic of Cyprus, this time flying from the north-west, heading towards Turkey.

On 10 September, four F-16 Turkish fighter jets and one KC-135 Turkish military plane at 1635 hours violated the Nicosia flight information region, flying over the eastern Nicosia flight information region, and exited at 1707 hours heading in a north-westerly direction.

As stated in my previous letters, such unauthorized intrusions into the Nicosia flight information region and the airspace of the Republic are in violation of international air traffic rules and seriously endanger civil aviation flights over Cyprus. At the same time, they are in contravention of the provisions of the Security Council resolutions on Cyprus which state that such overflights increase political tension on the island and undermine efforts towards achieving a final settlement.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest against the new violations of the sovereignty and territorial integrity

of the Republic of Cyprus, which are in complete disregard of international law, the Charter of the United Nations and the relevant decisions of the Organization on the question of Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Nicos AGATHOCLEOUS
Ambassador
Permanent Representative of the Republic
of Cyprus to the United Nations

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/52/412
S/1997/762
1 October 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 1 October 1997 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

I have the honour to convey herewith a letter dated 29 September 1997 from His Excellency Mr. Glafcos Clerides, President of the Republic of Cyprus, addressed to you.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Nicos AGATHOCLEOUS
Ambassador
Permanent Representative

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ANNEX

Letter dated 29 September 1997 from the President of Cyprus addressed to the Secretary-General

I wish to refer to the letter dated 19 September 1997 from the Permanent Representative of Turkey to the United Nations addressed to you and circulated as a document of the General Assembly and the Security Council with regard to Turkey's views on the purchase by the Government of the Republic of Cyprus of a S-300 missile system (A/52/383-S/1997/732).

Beyond any doubt, the letter contains direct threats against Cyprus in case we proceed with the installation of the missiles and reflects the same aggressive attitude of Turkey against the Republic of Cyprus. These threats amount to a blatant violation of the peremptory norms of international law, the principles of the Charter of the United nations and in particular Article 2 (4), which prevents the threat or use of force, the numerous General Assembly and Security Council resolutions on Cyprus and the 1960 treaties establishing the Republic by which Turkey undertook to guarantee the independence and territorial integrity of Cyprus.

The letter, written and circulated on the eve of the United Nations-sponsored talks on 26 September between myself and Mr. Denktash to discuss security matters, reveals the true intentions of Turkey, which, once again, by its well-known tactics, attempts to deflect attention from the substantive issues of the Cyprus problem and the real cause that prevents your efforts in making progress towards finding a comprehensive, just and viable solution, i.e., the lack of political will of the Turkish side as reported by the then United Nations Secretary-General in his report to the Security Council of 30 May 1994 (S/1994/629). The same tactic was resorted to during the recent rounds of intercommunal talks at Troutbeck and Glion where, again, substantive progress was impeded, as the President of the Security Council stated on 20 August 1997, "by the attempt to bring in preconditions to the table by the other party and here of course I mean the Turkish Cypriots ...".

I wish to record with you my strongest protest at such illegal, unacceptable and aggressive threats, which if Turkey attempts to realize will certainly mean the end of peace.

I should also emphasize in this respect that, in view of this new provocative act, had I not agreed to do so, I would not have attended the talks on security matters last Friday, 26 September 1997. At the same time I wish to stress that, although I did honour my word to attend the security talks, in no circumstances would I accept to discuss matters relating to security under threat nor would I negotiate under duress.

It is not my intention to enter into a discussion with regard to the decision of my Government to buy the S-300 defensive missile system, because such a decision was made in the exercise of Cyprus' inalienable rights as a sovereign State, to self-defence and to decide on its armaments. These rights are not negotiable.

However, in view of the allegations contained in the said letter by which Turkey attempts to justify its unacceptable and unwarranted reaction to Cyprus' decision to purchase the missiles, I shall, once again, explain the reasons that made their purchase imperative.

The S-300 ground-to-air missile system is a purely defensive weapon, the technical characteristics of which give no reason to dispute its defensive nature.

The purchase of the system was made solely in order to meet the need to strengthen Cyprus' defence capability in view of the threat posed against it:

(a) By the continued Turkish military occupation of 37 per cent of the territory of the Republic of Cyprus;

(b) The increase, upgrading and modernization of the Turkish forces and their equipment. In this regard allow me to recall the assessment with regard to the occupied area of the then United Nations Secretary-General, who described it in his report to the Security Council of 7 June 1994 as "... one of the most highly militarized areas in the world in terms of the ratio between numbers of troops and civilian population" (S/1994/680, para. 28);

(c) The absolute air superiority and preponderant ground superiority of Turkey in Cyprus;

(d) The accentuated aggressive attitude exhibited by Turkey, culminating in the recent threatening statements by Turkish officials;

(e) The regular violation of the air space of Cyprus and the photographing of our defensive positions by the Turkish Air Force;

(f) The experience of the past when the Turkish Air Force bombed the towns and villages of Cyprus using napalm bombs.

The defensive intentions of my Government, with regard to the S-300 missile system, have been made very clear all along. Cyprus has repeatedly stressed that the system is in no way intended against any country or the Turkish Cypriots.

The undisputed proof of Cyprus' intentions lies in my proposal for the complete demilitarization of the Republic of Cyprus made in November 1993 and which addresses the security concerns of both the Greek Cypriot and Turkish Cypriot communities.

The proposal, if accepted by Turkey, would remove the reason that necessitated the purchase of the missiles.

What is also particularly insulting in the letter is the attempt by Turkey to give lessons to other countries about their international obligations. The sale to Cyprus of the S-300 missile system and the joint defence doctrine fall within the rights of sovereign States in accordance with international law. Before Turkey embarks on accusations against other States, it should first

conform itself to the fundamental rules of international law governing inter-State behaviour, as well as the basic principles and the Code of Conduct on Politico-Military Aspects of Security of the Organization for Security and Cooperation in Europe.

Before I conclude, allow me to point out that Turkey should be told to abandon its aggressive behaviour against the Republic of Cyprus and its intransigent position on the problem of Cyprus and focus its attention on the efforts exerted by you and supported by the international community, aimed at finding a comprehensive, just and viable solution to the Cyprus problem on the basis of international law, the Charter of the United Nations and resolutions on Cyprus and the high-level agreements of 1977 and 1979. If Turkey is sincerely concerned with the security of the Turkish Cypriots and peace and security in the wider region, the key lies with it to remove the cause that threatens them by withdrawing its occupation forces and settlers from the Republic of Cyprus and accepting my proposal for demilitarization.

The Government of the Republic and the Greek Cypriot side are firmly committed to the settlement of the Cyprus problem by peaceful means and I wish to assure you, once again, that I shall continue to cooperate with you in a spirit of good will and do my utmost so that your efforts bring about the desired result, which will enable all Cypriots to live in peace and harmony.

(Signed) Glafcos CLERIDES
President of the
Republic of Cyprus

UNITED
NATIONS

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Security Council

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GENERAL

S/1997/763
1 October 1997

ORIGINAL: ENGLISH

LETTER DATED 1 OCTOBER 1997 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the ceasefire between the two countries.

1. On 25 February 1997, at 0120 hours, a loud explosion was heard from around the geographic coordinates of 39R TQ 1500002000 on the map of Nim-Eistagh-Navad, in no man's land, north of border pillars 7/13 and 7/14.

2. On 25 February 1997, at 0915 hours, one Iraqi IFA vehicle, carrying 15 individuals, left Mandali moving towards the Sumar region. It dropped six individuals at the geographic coordinates of 38S NC 5400039000 on the map of Sumar, west of border pillar 40/5, and left the area after a while.

3. On 27 February 1997, at 1200 hours, one Iraqi jeep with six occupants was observed moving at the geographic coordinates of 38S ND 6100024000 on the map of Ghasr-Shirin, north of Berar-Aziz, in no man's land. At the same time 12 explosions were heard in the same area.

4. On 27 February 1997, at 1900 hours, one Iraqi helicopter landed across from the Hamrein heights (the Anbar River region), inside Iraqi territory. It left the area after having stayed for a while.

5. On 27 February 1997, around 20 Iraqi troops were observed moving and patrolling around the geographic coordinates of 39R QA 8000340000, 38R QA 6300028000 and 38R TQ 1400012000 on the map north of Hoor al-Hovaiza, west of border pillars 18/3 and 7/20 and south and south-west of border pillars 21/1, 21/2 and 21/3.

6. On 28 February 1997, eight Iraqi vehicles were observed moving on the Naft-Shar road.

7. On 1 March 1997, from 1015 to 1550 hours, 18 different Iraqi vehicles carrying about 90 armed individuals equipped with 3 Dush-K machine-guns entered the Iraqi Chilat sentry post.

8. On 1 March 1997, at 1250 hours, an Iraqi vehicle with three occupants equipped with one Dush-K machine-gun entered the town of Mondaria at the geographic coordinates of 38S ND 420000500 on the map of Khosravi and the Custom's Office, in no man's land, north of border pillar 53/2, and left the area at 1320 hours on the same day.

9. On 1 March 1997, at 1900 hours, two unmarked aircraft were observed flying across from the Khorramshahr area, on the other side of the border.

10. On 1 March 1997, Iraqi troops reactivated a stronghold at the geographic coordinates of 39R TP 2000072000 on the map of Khorramshahr, south of border pillar 1/4.

11. On 2 March 1997, at 1500 hours, three Iraqi troops, at the geographic coordinates of 38S NC 4500099000, on the map of Khosravi, south of border pillar 51, were observed digging a trench that extended as far as 300 metres away from the Chirzad sentry post. They returned to their earlier position at 1630 on the same day.

12. On 2 March 1997, two Iraqi vehicles were observed moving from the Chalaie sentry post at the geographic coordinates of 38S NC 4300065000 on the map of Naft-Shahr, in no man's land, west of the Gane Kabood River, towards Naft-Khana at the geographic coordinates of 38S NC 4100066000 on the map of Naft-Shahr.

13. On 2 March 1997, three Iraqi soldiers were observed digging strongholds around the geographic coordinates of 38S NC 4500099000 on the map of Khosravi, south of border pillar 51.

14. On 5 March 1997, at 1645 hours, six Iraqi troops visited the Iraqi sentry post across from the Hosseinieh area, north of Shalamcha and south of Kooshk. They left the post following a stay of two hours.

15. On 5 March 1997, six Iraqi boats with 12 armed occupants were observed patrolling the area across from the Hoor al-Hovaiza area.

16. On 5 March 1997, Iraqi troops fired three illuminators at the geographic coordinates of 38ND 4050001700 on the map of Khosravi, between border pillars 53 and 53/1.

17. On 6 March 1997, at 1220 hours, two armed Iraqi shepherds were observed pasturing their two herds of sheep at the geographic coordinates of 38S NC 4700076000 on the map of west Sizda, west of border pillar 46/1.

18. On 6 March 1997, at 1500 hours, an Iraqi mechanical shovel was observed operating opposite the Khosravi border area.

19. On 6 March 1997, 80 Iraqi motor boats, carrying around 190 individuals, were observed patrolling in the Arvand River.

20. On 7 March 1997, at 1230 hours, Iraqi personnel set up one group tent across from the Hoor al-Hovaiza area and stationed 18 soldiers there.

21. On 8 March 1997,loud explosions and shooting with heavy weapons were heard from inside the territory north of Hoor al-Hovaiza and Khosro-Abad.

22. On 9 March 1997, at 0900 hours, Iraqi troops fired Dush-K machine-guns at the geographic coordinates of 38R AQ 6900014000 on the map of Saeidieh 12 different times. At the same time, three 60-mm mortar rounds were fired at the reed-beds opposite the Khorramshahr area. The sounds were heard in south Hoor al-Hovaiza.

23. On 9 March 1997, at 1200 hours, one Iraqi helicopter was observed flying around the Charghad-Sang sentry post at the geographic coordinates of 38S NC 4400078000 on the map of Naft-Shahr, behind the Zein al-Ghous heights and Chavarbakh.

24. On 9 March 1997, at 1230 hours, one Iraqi aircraft broke the sound barrier over the Tiheh-Kooh border heights.

25. On 9 March 1997, at 1630 hours, Iraqi troops engaged in force movement and replacement across from Minoo Island. Their observation operation in the area as well as patrols in Arvand Rud in light boats under the pretext of fishing have been resumed.

26. On 10 March 1997, at 0900 hours, an Iraqi loader and three trucks were observed excavating at the geographic coordinates of 38R QV 7200054000 on the map of south Hoor al-Hovaiza, around border pillar 14/B.

27. On 10 March 1997, an Iraqi mechanical shovel was observed excavating at the geographic coordinates of 39R TP 5000040000 on the map of Khosro-Abad, in no man's land, south of Nahr al-Koot.

28. On 10 March 1997, at 0900 hours, one Iraqi loader and three trucks were observed excavating at the geographic coordinates of 38R QV 5400073000 on the map of south Hoor al-Hovaiza, south of border pillar 14/B.

29. On 10 March 1997, at 1200 hours, four Iraqi army commanders, escorted by four people in two vehicles, entered the Mandaria Customs Office at the geographic coordinates of 38S ND 4280004900 on the map of Khosravi in no man's land, and after inspection left the area.

30. On 11 March 1997, at 0720 hours, a mechanical shovel and a white vehicle were observed digging a canal at the geographic coordinates of 38S NC 5900029900 on the map of Kani-Sheikh between border pillars 39/6 and 39/7.

31. On 12 March 1997, at 0830 hours, an Iraqi vehicle carrying six individuals left Mandali travelling towards the geographic coordinates of 38S NC 5400035000 on the map of Sumar, west of border pillar 40/3 and Kani-Sheikh, where they built a cabin.

32. On 12 March 1997, at 1900 hours, the firing of two mortar shots was heard from the geographic coordinates of 38R QV 5400073000 on the map of south Hoor al-Hovaiza and south of border pillar 14/8.

33. On 14 March 1997, at 0830 hours, three Iraqi mechanical shovels were observed operating opposite the Khosro-Abad area.

34. On 18 March 1997, at 1235 hours, seven Iraqi individuals, two of whom were senior officers, travelling in a white Toyota vehicle, entered the Iraqi post opposite the Khein River, opposite Khorramshahr. They left the post heading for Basra after 10 minutes.

35. On 18 March 1997, at 1550 hours, a khaki-coloured patrol vehicle carrying five individuals entered the Khein River post opposite Khorramshahr. It returned to Basra after 20 minutes.

36. On 22 March 1997, at 1055 hours, one Iraqi military helicopter was observed flying from Basra towards Faw (the area opposite Khosro-Abad).

37. On 22 March 1997, at 1050 hours, two helicopters, one white and bearing the United Nations insignia and the other khaki-coloured, following two rounds of aerial observation of the Iranian Customs Office at the geographic coordinates of 38S ND 42800049000 on the map of Khosravi and the Khosravi sentry post at the geographic coordinates of 38S ND 4200005000 on the map of Khosravi, crossed the international border into Iranian territory at the geographic coordinates of 38S NC 3820091150 for nearly 200 metres. They landed at border point zero and dropped 12 people who inspected the area, one of whom proceeded to film the surrounding area and the existing installations in Iranian territory. They left the area in the direction of Iraqi territory at 1350 hours on the same day.

38. On 23 March 1997, at 1100 hours, six armed Iraqi individuals were observed patrolling in the area opposite the Ghasr-Shirin border area.

39. On 24 March 1997, at 1430 hours, two Iraqi helicopters were observed flying from Khaneghein towards the Chahar-Bagh heights.

40. On 24 March 1997, at 1830 hours, Iraqi troops installed a communication tower at the geographic coordinates of 39R TP 2950061200 on the map of Khorramshahr, opposite Minoo Island.

41. On 25 March 1997, at 0900 hours, two Iraqi mechanical shovels were observed operating across from the Khosro-Abad area.

42. On 27 March 1997, at 0730 hours, an Iraqi mechanical shovel was observed excavating at the geographic coordinates of 38S 6100023000 on the map of Kani-Sheikh.

43. On 27 March 1997, at 1200 hours, three Iraqi commanders visited the sentry post at the Mandaria Customs Office at the geographic coordinates of 38S ND 4280004900 on the map of Khosravi, and left the area after a while.

44. On 31 March 1997, at 1830 hours, one Iraqi vehicle carrying 15 individuals moved from the geographic coordinates of 38S NC 5000036000 on the map of Sumar, west of border pillar 40/4 and Kani-Sheikh, to the geographic coordinates of 38S NC 5300036000 on the map of Sumar, west of border pillar 40/4 and Kani-Sheikh, where they set up a yellow tent.

45. On 31 March 1997, the Iranian border guards ambushed a number of Iraqi armed bandits who infiltrated into Iranian territory at the Ahangaran heights in the Sar-Pol Zahab area, around the geographic coordinates of 38S ND 6800026000 on the map of Ghasr-Shirin, south of Beshkan and north-east of border pillar 60/3. As a result of the subsequent clash, one Iranian soldier, Rafat Asgari, received a bullet fired by the infiltrators and was martyred.

46. On 1 April 1997, at 1054 hours shooting by light weapons was heard for 10 minutes from Al-Feiz hill at the geographic coordinates of 38S NC 87800137000 on the map of Helala-tapa-Shahr, at the Meimak heights, north-west of border pillar 35/3.

47. On 1 April 1997, at 1020 hours, an Iraqi loader with a crew of four left the geographic coordinates of 38S NC 5070036200 on the map of Sumar, west of border pillar 40/4 and Kani-Sheikh, and headed for geographic coordinates 38S NC 5510036200 on the map of Sumar, west of border pillar 40/4 to the Gangir River, and proceeded to excavate along the river.

48. On 2 April 1997, at 1130 hours, one Iraqi loader and two mechanical shovels were observed operating opposite the Khosro-Abad area.

49. On 3 April 1997, at 1230 hours, the firing of two mortar shots by the Iraqi troops was heard from across the Khorramshahr area.

50. On 3 April 1997, at 1620 hours, one Iraqi vehicle entered the town of Mandaria, opposite Khosravi in the Islamic Republic of Iran. It left the area after having dropped two armed individuals.

51. On 3 April 1997, at 2310 hours, a number of Iraqis fired some illuminators in the area opposite Naft-Shahr, at a distance of 300 metres from the border.

52. On 4 April 1997, at 2115 hours, Iraqi troops fired two illuminators in the area opposite Hovaiza.

53. On 6 April 1997, at 1125 hours, one Iraqi mechanical shovel was observed operating in the area opposite Naft-Shahr.

54. On 7 April 1997, at 1400 hours, one Iraqi mechanical shovel was observed excavating in the area opposite Hoor al-Hovaiza.

55. On 7 April 1997, at 1440 hours, one Toyota, carrying four individuals, entered the area at the geographic coordinates of 38S NC 3600065000 on the map of Naft-Shahr, west of Chalaie. It left the area after 20 minutes with seven individuals and one Dush-K rifle.

56. On 8 April 1997, at 1110 hours, the Iraqi troops based at the Al-Meghdad sentry post at the geographic coordinates of 38S ND 4100009000 on the map of Khosravi, between border pillars 54 and 55, were observed gathering and attending training courses.

57. On 8 April 1997, from 1120 to 1830 hours, four individuals with an Iraqi loader were observed digging a canal opposite the Mehran border area.

58. On 8 April 1997, at 1200, 1210 and 1220 hours respectively, three different Iraqi military helicopters were observed flying over the slope of the Chavar-Bakh heights of Naft-Shahr.

59. On 9 April 1997, at 0900 hours, an Iraqi loader was observed excavating at the geographic coordinates of 38S NC 5590039500 on the map of Sumar, south-west of border pillar 41. It left the area after seven hours of activity.

60. On 10 April 1997, at 1000 hours, six Iraqi loaders and cranes were observed constructing a road at the geographic coordinates of 39R TP 2700069000 on the map of Khorramshahr, south of Koot-Zein, across from where the Karun and Arvand rivers meet.

61. On 10 April 1997, at 1130 hours, the firing of eight mortar shells around the Chavar-Bakh heights opposite northern Naft-Shahr was heard.

62. On 10 April 1997, at 1205 hours, an Iraqi helicopter was observed flying from north to south around the Chavar-Bakh heights opposite northern Naft-Shahr.

63. On 12 April 1997, at 0935 hours, an unmarked helicopter was observed flying at low altitude from the direction of Basra to Fow.

64. On 13 April 1997, at 1010 hours, an Iraqi loader and four vehicles were observed excavating opposite the Sumar area.

65. On 15 April 1997, Iraqi troops based around the geographic coordinates of 39R TP 4800045000 on the map of Khosro-Abad opposite Moavia Island and the Khorram River, installed a Dush-K machine-gun at their base.

66. On 16 April 1997, at 1035 hours, one white helicopter, after seven minutes of flying at an altitude of 200 feet over the border, landed at a distance of 800 metres from the border in Iraqi territory. Three Iraqi military personnel and five civilians, apparently European journalists, disembarked and, following an inspection of the area and photographing the installations and Shalamcha's gate, they were briefed by an Iraqi senior officer and subsequently left the area, aboard the same helicopter, in the direction of Basra at 1210 hours.

67. On 16 April 1997, at 1140 hours, the Iraqi troops based at the Doola-Shareef sentry post at the geographic coordinates of 38S NC 5400041000 on the map of Sumar, west of border pillar 43, fired three bullets in the direction of the border.

68. On 16 April 1997, at 1430 hours, the Iranian border guards from the Berar-Aziz sentry post intercepted a number of Iraqi armed smugglers about two

miles east of the post. As a result of the exchange of fire, one of the smugglers, armed with one Kalashnikov assault rifle and 12 bullets, was injured in the foot and then arrested, and other Iraqi smugglers fled back to Iraq.

69. On 18 April 1997, at 1430 hours, an Iraqi loader was observed operating at the geographic coordinates of 38S NC 5400044000 on the map of Sumar, north and south of border pillars 44/1 and 44/2, Jabal Kohnch-Reeg (Kohnch-Reeg heights), in no man's land.

70. On 18 April 1997, at 2030 hours, the sounds of several mortar shells fired by the Iraqi troops across from the Hoor al-Hovaiza area were heard.

It would be highly appreciated if this letter were circulated as a document of the Security Council.

(Signed) Majid TAKHT-RAVANCHI
Ambassador
Chargé d'affaires a.i.

UNITED NATIONS **S**

Security Council

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S/1997/764
2 October 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 2 OCTOBER 1997 FROM THE PERMANENT REPRESENTATIVE OF BURUNDI TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith, for the information of the members of the Security Council, my letter dated 2 October 1997 transmitting to the Secretary-General of the United Nations a request by the Government of Burundi for United Nations assistance in solving the problem of Burundian refugees in general, and, in particular, the problem of Burundian refugees in the United Republic of Tanzania.

I should be grateful if you would arrange for these documents to be circulated as a document of the Security Council.

(Signed) Gamaliel NDARUZANIYE
Ambassador
Permanent Representative

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Annex I

Letter dated 2 October 1997 from the Permanent Representative of Burundi to the United Nations addressed to the Secretary-General

I have the honour to write to you to express once again the gratitude of the Government of the Republic of Burundi for the activities which the United Nations is carrying out in Burundi.

Beset by a crisis that soon will have lasted four years, Burundi has been engaged for more than a year in a peace process that emphasizes dialogue as a means of achieving a peaceful, negotiated political settlement between all interested parties.

Prompted by this concern, the Government of Burundi has instructed me to transmit to you a note verbale dated 30 September 1997 and the Government's request for United Nations assistance in solving the problem of Burundian refugees in general and the problem of Burundian refugees in the United Republic of Tanzania in particular.

Concerted action by the States concerned and the United Nations bodies with responsibility for this question would be a contribution to the peace process in Burundi and would increase the chances for lasting peace in the region.

In order to have these documents circulated to the members of the Security Council, I have addressed the same request to the President of the Security Council.

(Signed) Gamaliel NDARUZANIYE
Ambassador
Permanent Representative

Annex II

Note Verbale dated 30 September 1997 from the Ministry of Foreign Affairs and Cooperation of Burundi addressed to the Secretary-General

In keeping with its position of strict respect for the conventions relating to refugees, the Government of Burundi expresses its concern at the conduct of Burundian refugees living in the United Republic of Tanzania. These refugees are the main source of insecurity for Burundi.

Indeed, these refugees, who are concentrated along the frontier of the United Republic of Tanzania, are carrying out deadly incursions into the territory of Burundi.

The Government of Burundi would appreciate it if the United Nations would take steps to induce the authorities of the United Republic of Tanzania to:

Accept the reactivation of the technical working group established pursuant to the tripartite agreement between Burundi, the United Republic of Tanzania and the Office of the United Nations High Commissioner for Refugees with the aim of promoting the repatriation of the refugees;

Move those refugees who do not wish to return to a reasonable distance of at least 150 km from the frontier;

Disarm the Burundian refugees and prohibit them from engaging in political activity of any kind in the territory of the United Republic of Tanzania;

The deployment of a group of neutral observers to verify the incursions by these attackers originating in the United Republic of Tanzania and monitor the common frontier would be of great benefit.

The Ministry of Foreign Affairs and Cooperation welcomes in advance the careful attention that will be given to this request and encloses herewith information in support of the request.

Appendix

Request of the Government of the Republic of Burundi addressed to the Secretary-General of the United Nations for assistance in solving the problem of Burundian refugees in the United Republic of Tanzania

In making this request, the Government of the Republic of Burundi would like to describe briefly the problems of Burundian refugees in the United Republic of Tanzania and to demonstrate not only the serious consequences thereof for the state of relations between Burundi and the United Republic of Tanzania, but also the threat which they represent to peace and security in Burundi and throughout the Great Lakes subregion.

While traditionally the bilateral relations between Burundi and the United Republic of Tanzania have always been regarded as excellent, they have nevertheless suffered from time to time from the repercussions arising from the behaviour of some of the refugees, often with the encouragement of certain circles in the host country.

This negative attitude, which was at the outset deemed to be marginal, has become more pronounced, especially following the events of October 1993 in Burundi.

Faced with the acts of military aggression and the subversive activities directed against Burundi by the Conseil national de défense de la démocratie (CNDD) and its allies from the refugee camps in the United Republic of Tanzania, the Government of Burundi has deemed it necessary to launch an urgent appeal to the international community for assistance in finding a rapid solution to this question.

I. THE PRESENCE OF BURUNDIAN REFUGEES IN THE UNITED REPUBLIC OF TANZANIA: SOURCE OF A THREAT TO PEACE AND SECURITY IN BURUNDI AND THE SUBREGION

The first deadly attacks perpetrated by the refugees against Burundi date back to 1972. They were organized and carried out from the United Republic of Tanzania by refugees who had been settled in the region of Kigoma since 1965, in some cases, and 1969, in others.

It was following these bloody events of 1972 that the greatest number of departures of refugees to the United Republic of Tanzania was noted. The refugees were received and settled in the camps at Ulyankulu, Mishamo and Katumba and in the region of Kigoma.

The distance of these camps from the common frontier helped to bring about the period of calm and détente observed for some years in the bilateral relations between the States.

This period of stability enabled the Government of Burundi to carry out the policy of promoting the voluntary repatriation of the refugees which it had constantly advocated. In the case of the United Republic of Tanzania, a considerable movement was indeed noted in the voluntary return of refugees as a result of this policy. The work was carried out with the assistance of the technical working group established on 27 August 1991 pursuant to the tripartite agreement signed between Burundi, the United Republic of Tanzania and the United Nations High Commissioner for Refugees (UNHCR).

This mass return movement was halted by the unfortunate events that are at the root of the current crisis which Burundi has been experiencing since October 1993. The crisis led to the departure of other refugees to the United Republic of Tanzania; this time, instead of being settled like the earlier refugees in accordance with accepted international standards, the refugees were placed in camps situated at distances of between 15 and 40 kilometres from the common frontier along the Kigoma-Bukoba road.

These camps were as follows:

Ntabila: 44,040 people, 40 km. from the frontier
Muyovozi: 27,750 people, 40 km. from the frontier
Nkungwa: 1,171 people, 15 km. from the frontier
Ntendeli: 28,913 people, 20 km. from the frontier
Kanembwa: 15,531 people, 40 km. from the frontier
Lukole: 88,195 people, 20 km. from the frontier

Source: UNHCR census, 19 to 26 July 1997. See map (attachment 1).

The concentration of these camps close to the frontier with Burundi represents a serious threat to the peace and security of Burundi and of the subregion for the following reasons:

(a) The proximity of the camps to the frontier with Burundi, the Democratic Republic of the Congo and Rwanda;

(b) Ease of contacts between the camps;

(c) Ease of mobility by Lake Tanganyika;

(d) The presence of many Burundian perpetrators of genocide and common criminals in the camps;

(e) The presence of members of armed factions of the Front pour la défense de la démocratie (FDD) expelled from the former Zaire, and of the Front de la libération nationale (FROLINA) and the Parti pour la libération du peuple hutu (PALIPEHUTU);

(f) The presence of members of the former Rwandan armed forces and of the Interahamwe militia;

(g) Acts of intimidation against bona fide refugees;

(h) The coalition of these criminals in murderous attacks against Burundi and their withdrawal to Tanzanian territory (see attachment 2).

This disturbing situation is of concern not only to the United Republic of Tanzania and the countries of the subregion, but also to UNHCR and the other humanitarian organizations which are assisting and organizing these camps.

Despite the difficulties mentioned above, Burundi can now congratulate itself on having received several of its nationals who have voluntarily returned to their mother country from neighbouring countries, including the United Republic of Tanzania. Approximately 160,000 refugees returned to Burundi spontaneously and voluntarily between October 1996 and September 1997 (see attachment 3).

Greater cooperation by the host countries and the competent agencies could easily help to find lasting solutions to the problem of refugees and could thus contribute to the restoration of peace and security throughout the subregion.

Such an approach would be one which would help Burundi and the United Republic of Tanzania to remedy this disturbing situation and renew the excellent relations which have always been a feature between the two countries. The Government of Burundi accordingly appeals to the international community to give its assistance.

II. REQUEST OF THE GOVERNMENT OF BURUNDI

Faithful to the commitments which it entered into at the time of the political changeover on 25 July 1996, the Government of Burundi would like to reaffirm its determination to work towards the unity and reconciliation of all Burundians without exception. The return of the refugees to their country is an essential element of this process.

It is in this spirit that it wishes to reaffirm that it will continue to promote voluntary repatriation by creating an environment favourable to peace both within and outside the country.

To this end, the Government of Burundi would like to make a formal request to the Secretary-General of the United Nations to persuade the Government of the United Republic of Tanzania to cooperate positively and comply with the following request:

1. Respect and comply with the obligations laid down in international conventions concerning refugees (the Convention relating to the Status of Refugees, adopted at Geneva on 28 July 1951, and the Convention of the Organization of African Unity on questions relating to the problems of refugees in Africa, adopted at Addis Ababa on 10 September 1969).

2. Reactivate the technical working group established pursuant to the tripartite agreement between Burundi, the United Republic of Tanzania and UNHCR with a view to promoting voluntary repatriation in particular.

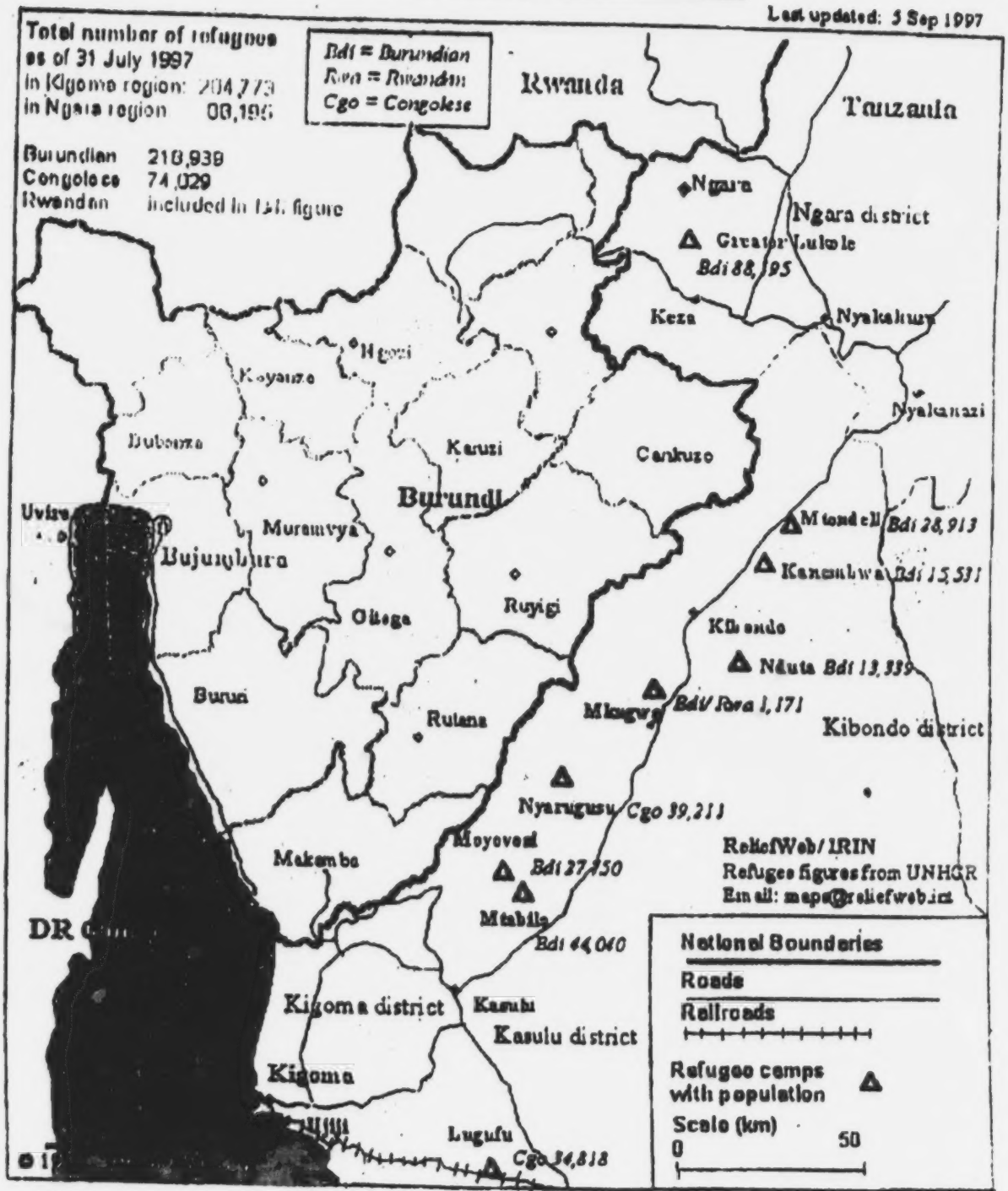
3. Move those refugees who do not wish to return to their country to a reasonable distance of at least 150 km from the frontier.

4. Disarm the Burundian refugees and prohibit them from engaging in political activities in the territory of the United Republic of Tanzania and in any other country of asylum.

5. Deploy a group of neutral observers to verify incursions originating in the United Republic of Tanzania and to monitor the common frontier.

Attachment 1

Refugees in the United Republic of Tanzania



The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations or ReliefWeb. These maps may be freely distributed. If more current information is available, please update the maps and return them to ReliefWeb for posting.

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Attachment 2

Information concerning deadly attacks on Burundi and withdrawal to Tanzanian territory

Date	Place	Damage caused
25 November 1994	Rumandari (Giteranyi)	Two people seriously injured by mines laid by genocidal terrorists
8 December 1994	Buruhukiro (Rumonge)	Members of PALIPEHUTU massacre 4 people
26 January 1995	Gasorwe (Muyinga)	Assassination of the Governor of Muyinga by one Saidi from Tanzania
Night of 7 February 1995	Buruhukiro (Rumonge)	Eleven people massacred
14 February 1995	Giteranyi (Muyinga)	Nine people killed by genocidal terrorists on Shoza, Mugano, Karugunda and Gazenyi hills
7 July 1995	Giteranyi (Muyinga)	Population of Rusagara hill hacked to death. Many people killed and many houses set on fire.
27 July 1995	Kayongozi (Ruyigi)	Attack on Mibanga hill; 6 people killed
Night of 27/28 August 1995	Baziro (Gitobe)	Four dead, including chief of sector
11 October 1995	Butihinda (Muyinga)	Attack on Cagizo market, Kamaramagambo area; 48 people killed
29 October 1995	Mugisenga village	FROLINA elements attack, setting fire to some 20 houses; 5 people killed, another 500 flee towards Tanzania. Tanzanian security forces refuse them entry into the country. The rest of the population flocks to the interior of Lake Nyanza commune

Date	Place	Damage caused
2 December 1995	Kigabwe (Mabanda)	Attack by FROLINA terrorists on the population at Ngabwe; 11 people killed, 26 houses burned.
11 December 1996	Rimbo (Lake Nyanza)	Five people killed by genocidal terrorists
15 December 1996	Muyange market (Lake Nyanza)	Five people stabbed by genocidal terrorists
17 December 1996	Mugumure (Lake Nyanza)	Seven people slightly wounded
28 March 1997	Kigutu (Vyanda)	Attack on innocent population: 21 houses set on fire, 10 looted, 4 people seriously wounded
14 April 1997	Gihoro-Gikoni (Giteranyi)	Attack on repatriated persons; 3 people killed
15 April 1997	Bugabira	Two attacks on displaced persons; 3 people killed
16 April 1997	Mubondoko Kayogoro (Makamba)	More than 70 people killed. The assailants, who come from the United Republic of Tanzania, withdraw there passing through Mugina.
19 April 1997	Migano (Rumonge)	Six people hacked to death
21 April 1997	Mugomera (Rumonge)	Eight people killed
21 April 1997	Q. Swahili (Lake Nyanza)	Thirteen civilians hacked to death
29 April 1997	Kiremba-Buta (Bururi)	Forty-three students killed at the little seminary in Buta.
23 May 1997	Lake Nyanza	Twenty people killed
25 May 1997	Kigunga (Burambi)	Assassination of the chief of sector
10 June 1997	Binaganyi (Lake Nyanza)	Attack on centre for displaced persons: 10 killed and several wounded

Date	Place	Damage caused
20 July 97	Kigwena (Rumonge)	Two people killed and some 40 kidnapped

Note: All these attacks were organized and committed by criminals who were trained and who entered Burundi via the United Republic of Tanzania.

The deadliest attacks, and the most disturbing in terms of the number of assailants involved (between 3,000 and 4,000 - the Tanzanian authorities acknowledges 800), occurred between April and May 1997.

Attachment 3

Repatriation organized by UNHCR between October 1996 and September 1997

Series period	From			Comment
	United Republic of Tanzania	Democratic Republic of the Congo	Rwanda	
1. 30 October 96 to 10 Sept. 97		± 40,000		Including 373-377 repatriated by air from Bukavu and Kisangani (via Kigali, then by road)
2. January to August 1997	± 40,000 from Kigoma		3 964	
	± 25,000 from Ngara			
3. Sept. 1997			1 903	From Musange (Butare and Kigeme) (Gikongoro)
Subtotal	± 65,000	± 40,000	5 867	
TOTAL	110 867			

Note: On average 30 people a day are being repatriated from Kigoma compared to 200 prior to the closing by the United Republic of Tanzania of its border. These numbers reflect repatriations organized by UNHCR. The number of people going back on their own is also considerable.

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QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 30 September 1997 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 29 September 1997, addressed to you by His Excellency Mr. Aytuğ Plümer, representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Hüseyin E. ÇELEM
Ambassador
Permanent Representative

97-26191 (E) 031097

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ANNEX

Letter dated 29 September 1997 from Mr. Aytuğ Plümer addressed to the Secretary-General

During the course of the general debate in the General Assembly on 26 September 1997, the Greek Cypriot Foreign Minister, Mr. Yannakis Cassoulides, in exercise of the right of reply, repeated the well-known positions of the Greek Cypriot side and levelled false accusations against the Turkish Republic of Northern Cyprus (see A/52/PV.14). Since the Turkish Cypriot side is being denied its right of say in the General Assembly and other international forums, I am obliged to respond to these Greek Cypriot allegations in writing.

In his statement, Mr. Cassoulides endeavoured to deny the existence of two peoples, two separate administrations and two democracies in Cyprus. Such a recalcitrant attitude and the apparent reluctance to come to terms with the existing realities in the island is the primary reason behind the lack of progress in the process of negotiations between the two sides. The Greek Cypriot side has long preferred propaganda and the exploitation of international forums to negotiations for a settlement based on a new partnership of the two sides as political equals. It will be recalled that the existence of two separate and autonomous administrations in the island was acknowledged by the Foreign Ministers of the three guarantor Powers, Turkey, Greece and the United Kingdom of Great Britain and Northern Ireland, through a joint declaration issued at Geneva on 30 July 1974.

The Turkish Cypriot and Greek Cypriot peoples, the co-founders of the 1960 Republic of Cyprus, which was destroyed by force of arms in 1963 by the Greek Cypriots in an effort to convert the island into an exclusively Greek Cypriot Republic prior to annexing it to Greece, are two distinct peoples with different languages, religions and ethnic backgrounds. The Turkish Cypriot people have been self-ruling since their ejection by force of arms from all State organs of the 1960 partnership republic in 1963. The Turkish Republic of Northern Cyprus was established in 1983 through the exercise of the inalienable right to self-determination of the Turkish Cypriot people. The Turkish Republic of Northern Cyprus is widely praised for the exemplary democracy in force in the country (see, for example, the successive annual human rights reports of the Department of State of the United States of America).

The Greek Cypriot Foreign Minister's attempt to defame the Turkish Republic of Northern Cyprus and to distort the realities prevailing on the island, does not in any way suffice to conceal the legal and political fallacy in his own administration, which came into being as a result of the usurpation and continued occupation of the seat of government by force of arms in 1963.

Mr. Cassoulides has also referred to the unilateral process towards European Union membership pursued by his administration in total disregard of the international agreements on Cyprus, which preclude the membership of Cyprus in any international organization in which both Turkey and Greece are not members. This politically motivated move by the Greek Cypriot administration is designed to relegate the Turkish Cypriot people into a mere minority in a Greek

dominated island and to undermine the 1960 guarantee system which is an indispensable element for the security of the Turkish Cypriots in the face of the aggressive designs of the Greek Cypriot side as evidenced by its unprecedented militarization campaign.

The Greek Cypriot Foreign Minister has once again declared before the General Assembly that his administration is intent on deploying the sophisticated S-300 missile system in south Cyprus. This defiant mood, despite international reaction, obviously does not conform with the objective of maintaining peace and stability in the region. The pretext of defence considerations adduced to by Mr. Cassoulides is untenable as there is not threat of any kind directed at south Cyprus by the Turkish Republic of Northern Cyprus. The presence of Turkish troops in the Turkish Republic of Northern Cyprus, on the other hand, has a manifest purpose of providing the necessary security guarantees for the Turkish Cypriots.

We hope that the international community will carefully evaluate the current stance of the Greek Cypriot adminstration in the light of its words and deeds, which are quickly eroding the chances of achieving a new atmosphere of trust and an eventual overall agreement in Cyprus.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Aytuğ Plumer
Representative
Turkish Republic of Northern Cyprus

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30 September 1997

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QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 30 September 1997 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 30 September 1997, addressed to you by His Excellency Mr. Aytuğ Plumer, representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Hüseyin E. ÇELEM
Ambassador
Permanent Representative

97-26197 (E) 031097

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ANNEX

Letter dated 30 September 1997 from Mr. Aytuğ Plümer addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 19 September 1997 addressed to you by the Greek Cypriot representative at the United Nations which contains allegations regarding "violations of the airspace of the Republic" (A/52/370-S/1997/728 dated 19 September 1997).

I would like to recall that previous similar allegations regarding so-called "airspace violations" were rejected in toto in our successive communications addressed to you, most recently in my letter dated 8 September 1997 (A/51/971-S/1997/698 of 9 September 1997). Since the present Greek Cypriot charges are no different or more credible than the ones previously made, they do not merit a detailed reply. I wish to underline once again, however, that flights within the airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State, over which the Greek Cypriot administration in the south has no jurisdiction or right of say whatsoever.

As I have repeatedly pointed out the endless barrage of such allegations made by the Greek Cypriot administration are designed to uphold the myth that it has sovereignty over the whole island and to cover up its dangerous policy of escalation and tension on the island. In my previous communication on the matter, I have drawn your attention to the fact that, within the framework of the so-called "joint defence doctrine", the Greek Cypriot administration and Greece are planning to stage joint military manoeuvres in and around south Cyprus between 10 and 15 October 1997, and that the provocative military exercises code-named "Nikiforos 97" will involve the participation of the Greek Armed Forces. It is reported by the Greek Cypriot press that the Greek Cypriot Defence Minister, Mr. Eliades, and the Commander of the Greek Cypriot National Guard, General Vorvolakos, have most recently visited Athens to finalize the details concerning the said military exercises (Greek Cypriot daily Agon of 21 September 1997). It has also been confirmed that the Greek Defence Minister, Mr. Cohachopoulos, has accepted the invitation of the Greek Cypriot side and will be present in south Cyprus during the military exercises (Greek Cypriot daily Mahi of 24 September 1997).

In the name of implementing the so-called "joint defence doctrine", the Greek-Greek Cypriot camp will once again create a warlike atmosphere in Cyprus that will only serve to exacerbate the situation on the island as tension is already running high owing to the Greek Cypriot side's decision to deploy the sophisticated S-300 missile system, in contravention of relevant Security Council resolutions. It is noteworthy that as part of "Nikiforos 97", Greek fighter planes will for the first time land at the newly constructed Paphos military airbase. It is reported that the deployment and logistic maintenance of Greek fighter planes at Paphos airbase will significantly increase their operational flight time capacity in the area (Greek Cypriot daily Alithia of 23 September 1997).

The Greek Cypriot side's policy of escalation and tension on the island, coupled with its blatant attempts to undermine the parameters established by the United Nations for a peaceful settlement in Cyprus by using the European Union aspect, are signs that we have entered a critical phase of the Cyprus question. It is imperative that all interested parties impress upon the Greek Cypriot side the need to desist from its reckless policy of escalation and concentrate its efforts towards the finding of a settlement on the basis of bi-communality, bi-zonality and political equality.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Aytuğ PLUMER
Representative
Turkish Republic of Northern Cyprus

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S/1997/767
2 October 1997

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS TRANSITIONAL ADMINISTRATION FOR EASTERN SLAVONIA, BARANJA AND WESTERN SIRMIUM

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1120 (1997) of 14 July 1997, in which the Council requested me to report on all aspects relevant to the peaceful reintegration into Croatia of the region of Eastern Slavonia, Baranja and Western Sirmium (hereafter referred to as the region).

2. The Security Council will recall that in my report of 23 June (S/1997/487), I outlined a two-phase exit strategy for the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES). In the first phase, executive responsibility for the major part of the civilian administration of the region would be devolved to Croatia but UNTAES would maintain authority and the ability to intervene and overrule decisions should the situation deteriorate and the achievements of UNTAES be threatened. In the second phase, subject to Croatian performance, the remaining executive functions would be devolved. That strategy was adopted with a view to allowing UNTAES personnel and resources to be reduced progressively as executive functions were assumed by Croatian authorities. In paragraph 51 of my report, I outlined benchmarks that, if met by the Government of Croatia, would give confidence to the region and lead to an early transfer of authority from UNTAES to the Government.

3. In its resolution 1120 (1997), the Security Council, inter alia, decided to extend the mandate of UNTAES until 15 January 1998 in accordance with its resolution 1079 (1996) of 15 November 1996 and the Basic Agreement of 12 November 1995 (S/1995/951, annex). The Council endorsed the plans set out in my report of 23 June for the gradual devolution of executive responsibility for civil administration in the region and for restructuring UNTAES. The Council stressed that the pace of gradual devolution of executive responsibility would be commensurate with Croatia's demonstrated ability to reassure the Serb population and successfully complete peaceful reintegration. Pursuant to that

resolution, UNTAES has been carefully monitoring Croatian efforts to meet the benchmarks while downsizing and restructuring the Mission.

II. PROGRESS ON REINTEGRATION

4. Throughout the course of its mission, UNTAES has pursued the policy of negotiating public agreements with the Government of Croatia on the specific implementation of the rights and guarantees contained in the Basic Agreement and in the letter of the Government of Croatia of 13 January 1997 (S/1997/27, annex). These public agreements have been freely and voluntarily entered into by the Government of Croatia. Their purpose has been to reassure the population of the region that their rights and guarantees as Croatian citizens will be respected during this transitional period and will continue indefinitely, and to provide guidance to Croatian officials. As at 25 September, some 33 written agreements and declarations had been negotiated.

5. Over the past 20 months, the Government of Croatia has achieved many of the goals established in the Basic Agreement and in its letter of 13 January. Most technical reintegration issues have been successfully addressed. However, as at 25 September, substantial goals still remained to be accomplished before the end of the mandate. The present report, therefore, focuses on those areas where additional work is necessary and on those agreements that have only been implemented in part or not at all. The emphasis on these issues should not detract from the overall achievements by UNTAES and by the Government of Croatia which have maintained peace in the area for almost two years and created a solid base on which to build the future.

6. While the report identifies many specific implementation problems, it is of particular concern that in recent weeks the Government of Croatia has sought to repudiate unambiguous commitments made in key documents, including the Croatian letter of 13 January, and to ignore the results of the elections on 13 and 14 April 1997, by using the 1991 census as the basis for determining Croat/Serb proportional representation in local institutions. This contradicts the clear terms of the Basic Agreement that all persons who have left the region or who have come to the region with previous permanent residence in Croatia shall enjoy the same rights as all other residents of the region. In addition, this standard is not applied elsewhere in Croatia in those areas where Serbs constituted a clear majority in 1991. Based on the 1997 voter registration lists for the region, at least 40 per cent of the region is of Serb ethnicity and proportional representation in local institutions should reflect this ratio. Croatia's insistence and pressure for the termination of the UNTAES mandate has increased, but the progress achieved to date does not give confidence that the peaceful reintegration of the people of the region is as yet self-sustainable and irreversible.

Integration of public services and enterprises

7. Croatian control of regional public services and utilities has generally made substantial progress. Regular electricity is being provided in most areas, postal and telecommunication services are operational, rail services on two lines have been reintroduced, roads are being repaired, over 15,000 vehicles have been registered, some 17,000 drivers licences issued and taxation and employment bureaux have been reintegrated. Some 4,200 work contracts in

reintegrated public enterprises and institutions have been offered, of which 96 per cent have been accepted by local residents. A further 300 positions are pending. All public employees are now receiving at least part of their salaries pending final verification of their documents and qualifications. Unfortunately, this progress has not extended to the important areas of education, health and the judiciary.

8. Several employment issues also remain to be resolved. It was not until 24 September that the Government of Croatia stated its intention to abide by the annex to the Affidavit on Employment, signed on 14 February, which provides that the years of employment service from 1991 to 1996 are to be recognized for calculations of length of service. This impacts on salary levels, seniority and future pension benefits. The employment status of several hundred municipal workers of the previous Serb local administration is unresolved. The Government of Croatia has stated that only 112 Serbs will be employed in local administration, contrary to provisions in its letter of 13 January. A frequent complaint is that Serb managers of the former regional enterprises are being bypassed or marginalized in the decision-making process.

9. The Croatian letter of 13 January guarantees educational autonomy to Serbs and other minorities by entitling them to prepare a curriculum that fosters cultural identity, history and heritage within the Croatian educational system. However, the fact that the complete reintegration of schools in accordance with the signed agreement on education has not yet been achieved remains a cause of concern. The Ministry of Education has not honoured fully agreements signed including, inter alia, on the fair and equitable distribution of principals' positions based on the evolving ethnic composition of the region, the use of minority languages and scripts in secondary schools, the validation of qualifications of teaching staff and the placement of signs on schools in the Latin and Cyrillic scripts. With the start of the new school year on 8 September, there has been an atmosphere of anxiety and uncertainty and public demonstrations by teachers, students and parents.

10. The reintegration of the health sector has been slow and difficult. Some initial progress has been made only in the past four weeks as international attention to this problem area has increased. The 16 June agreement to provide medical supplies and assume immediate responsibility for operating costs of medical facilities was initially not fulfilled. The region suffered critical shortages of medicine and hospital supplies throughout the summer. In mid-July, the first delivery of a small amount of medical supplies was made to Vukovar Hospital and Beli Manastir health centre. It was not until 28 August that the Ministry of Health made banking arrangements to cover routine day-to-day expenses in the health sector. On 12 September, an additional two-month supply of medicines was delivered to Vukovar Hospital.

11. The Croatian letter of 13 January guarantees that the area now constituting the region under the Transitional Administration will have proportional Serb representation, including at senior positions, in the judiciary. After four months of negotiations, this has still not been achieved. Croatian officials have argued that the 1991 census, not the 1997 voter registration lists, should determine the percentage of Serb representation. On 23 September, in a reversal of its previous position, the Government of Croatia agreed to implement its

commitments on proportional representation of Serbs, coordination with UNTAES of the judicial competition examinations and appointment of Serbs to judicial posts in the Osijek-Baranja District Court, the State Prosecutor's Office and the Commercial Court.

Establishment of local government administration

12. Five months after local elections, the power-sharing agreement between the major Croat and Serb political parties is not working well. There continues to be a demonstrable lack of commitment by Croatian officials to work towards the establishment of effective local government administration. Municipalities throughout the region lack adequate financial resources. Only some of the municipalities have received their promised 50,000 kuna (approximately US$ 8,000) start-up funds for the salaries of key officials and the cost of convening council meetings. These funds will not be sufficient to operate communal services. The Government of Croatia has still not legally recognized the boundaries of new municipalities. While some of these municipalities have received assistance from county authorities, they are unable to withdraw funds from municipal accounts without legal recognition. No formal annulment of Croat institutions "in exile", set up outside the region, has occurred. Few Croat elected officials reside or have a regular presence in the region. Only the tax and customs authorities operate on a full-time basis.

Establishment of political institutions

13. After three months' delay, on 29 August, the Joint Council of Municipalities was finally registered in accordance with Croatian law. The Council has begun to participate fully in the resolution of local issues and has held meetings with senior officials in Zagreb. The Serb National Council has been established and is functioning. Four Serb assistant ministers and two senior advisers have been appointed, although the cooperation and facilities provided to them by the Government of Croatia have not always been adequate. It is disappointing that the performance of some of these Serb representatives have not performed with the energy and expertise necessary to represent their constituencies effectively.

14. Of particular importance for the implementation of local Serb cultural autonomy, promised in the Croatian letter of 13 January, is the continuation of the local Serbian-language media. An early Croat proposal for the integration of all Serb radio and television stations and the employment of all current staff as a regional unit of the Croatian State radio/television company was rejected by the local Serb leadership which, instead, proposed an integrated regional media system under the direction and control of the Joint Council of Municipalities. This would have been in conflict with Croatian media law. The Council is currently revising its proposals with a view to establishing separate and independent radio and television stations in the region that would provide independent reporting about, and coverage of, Serb and other ethnic activities and views.

Equal treatment in the provision of government services and benefits

15. A key indicator of the intention of the Government of Croatia is whether government services and benefits are provided fairly and equitably to the people of the region regardless of ethnicity. The regional systems for social welfare, unemployment and pensions were technically reintegrated into Croatian structures in July 1997. Of the previous 20,000 pension and welfare recipients, approximately 15,000 residents have re-enrolled in the Government of Croatia's pension fund. Some 10,500 have received pension benefits. Problems, however, persist with the registration of many other potential pensioners and the payment of benefits to displaced persons and former recipients of social welfare.

16. Most of the region's residents have received Croatian documents. As at 25 September, approximately 146,000 citizenship documents, 130,000 Croatian identity cards and 126,000 passports had been issued. However, over 1,300 residents have been denied naturalization on the basis that they failed to meet the provisions of the Croatian law on citizenship, which requires "that a conclusion can be derived from his or her conduct that he or she is attached to the legal system and customs persisting in the Republic of Croatia and that he or she accepts the Croatian culture". Under the law on travel documents for Croatian citizens, some cases of denial of passports to Serbs have been made on the grounds of pending criminal proceedings. In both cases, denials have been made without adequate explanation and do not appear to be based on fact. Over 900 appeals have been pending for several months in the Administrative Court in Zagreb. Very few of those appeals have been resolved. Consequently, many Serb families have been left in a state of uncertainty because one member has been denied citizenship. This also impacts on the ability of residents to remain in the region and receive employment and social welfare benefits.

Economic reintegration

17. The basic conditions for economic reintegration have been created through measures such as the introduction of the Croatian currency, the establishment of a modified Croatian customs regime, the reintegration of the financial and banking system, the opening of the region to Croatian commercial traffic and the promotion of trade between the region and the rest of Croatia. However, Croatian authorities and the national business community have been slow in taking advantage of these positive developments. Reintegration in the private sector has mainly been focused on agro-industrial combines, neglecting small- and medium-sized enterprises. The privatization process has yet to start. Fewer than half of the local companies have been registered in accordance with Croatian commercial law, mainly owing to slow and cumbersome court procedures and to Serb failure to apply promptly.

18. The high rate of unemployment in the region and the overall absence of a consolidated economic policy by the Government of Croatia to address the reintegration of the region are matters of concern. The Government of Croatia has yet to announce a budget that outlines the costs and revenues to meet anticipated reintegration needs. Substantially higher nationwide charges for utilities and the collection of Croatian customs on goods imported across the borders have had the effect of substantially increasing the cost of consumer goods and public services without a corresponding increase in wages or

employment opportunities. This has contributed to economic hardship for many vulnerable local residents.

Reconciliation

19. No action has been taken by the Government of Croatia to initiate a country-wide public programme of national reconciliation, as called for in resolution 1120 (1997) and the statement by the President of the Security Council on 18 September (S/PRST/1997/45). On 12 August, President Tudjman assured the former Transitional Administrator that a national steering council would be established and that swift action would be taken to develop and implement a well-resourced programme. Instead, the national State-owned media have attacked the concept as naive and Transitional Administrator Walker for having raised it publicly. Croatian television continues to broadcast daily highly inflammatory footage of events during the war just prior to evening news programmes, thus belying the Government's commitment to the promotion of ethnic reconciliation.

20. Considered proposals by UNTAES for the establishment of a day of reconciliation, possibly on the 12 November anniversary of the signing of the Basic Agreement, were wilfully parodied by government officials into a one-day celebration of return of Croat displaced persons to the region and early termination of the UNTAES mandate. In general, the ethical and moral basis for reconciliation has been ignored by Croatian institutions and responsible officials. Their view appears to be that reconciliation led by the Government is largely reflected in bilateral relations and agreements with the Federal Republic of Yugoslavia. Within Croatia, reconciliation is considered a personal matter for individuals. With continued returns of Serbs to the rest of Croatia and the imminent return of substantial numbers of Croat displaced persons to the region, public official support for reconciliation is essential to confidence-building throughout Croatia.

Missing persons

21. Within the context of reintegration and reconciliation, UNTAES has sought to defuse the politically sensitive issue of missing persons in the region by facilitating the efforts of a tripartite (Croats, Serbs, UNTAES) missing persons commission. The UNTAES role has been to provide organizational and investigative oversight and security, act as a buffer between the parties during these often emotional activities, and provide objective information to an often exploitative and inflammatory press. Since July, over 100 remains have been exhumed under appropriate safeguards and conditions of dignity. On 13 September, agreement in principle was reached for the inclusion of Serbs into the regional Croatian missing persons subcommission.

Return of displaced persons and refugees

22. There has been some progress on returns. According to Croatian statistics, since April 1997 over 5,200 Serbs have returned to their homes throughout Croatia. Of that number, 965 returned using the weekly convoys organized since July by UNTAES, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Croatian Office for Displaced Persons and Refugees. Two hundred

made private arrangements for return. Over 4,100 returned "spontaneously" without an official "confirmation" from the Government of Croatia. They have now been granted confirmation retroactively.

23. In the same period, only 320 Croat displaced persons have returned to the region with official confirmation of the Office for Displaced Persons and Refugees. An additional 1,500 Croats have returned spontaneously, mainly to reconstructed villages in the south of the region. There are over 750 vacant and habitable houses in the region to which Croats could return immediately. The importance of such returns has been emphasized to the Croatian authorities and displaced persons organizations, but it appears that the return of Croats to the region is being blocked for political reasons. The Government insists that UNTAES is responsible for the lack of Croat returns, by denying access and requiring passes. This is not the case.

24. Two-way returns have been held up by the slow action of the Office for Displaced Persons and Refugees, the uncertain security and economic situation in areas of potential return and legal impediments to getting back property. Displaced persons living inside the region must register with the Office and receive an official confirmation for return before actual return can take place. Approximately 23,000 individuals (70 per cent of the estimated population of displaced persons in the region) have registered with the Office. More than half of those registered have stated that they wish to return to homes in other parts of Croatia but, as at 15 September, only 3,250 individuals had received official confirmation that arrangements for their return had been completed. During the same period, only 1,300 confirmations were issued for Croats to return to their homes within the region.

25. In all cases, the confirmation indicated that the families were moving back to vacant, habitable homes or reuniting with family members who had stayed behind. However, at least 15 of the homes outside the region deemed habitable were in fact damaged or occupied. This has reduced Serb confidence in the Office for Displaced Persons and Refugees process. None of the applications for return to damaged or occupied homes have been fully resolved. Senior Croatian officials state that funding for reconstruction of Serb houses will be difficult to identify.

26. Many Serb displaced persons voice concerns about their personal security and economic circumstances should they return to other parts of Croatia. Clearly, more work needs to be done with local authorities and receiving communities. To that end, members of UNTAES, UNHCR and the Government of Croatia have participated in public forum meetings throughout Croatia to address the concerns of communities to which Serbs are returning. The Transitional Administrator and the UNHCR Representative for Croatia visited Knin and Benkovac in the former sector south. They emphasized the need to provide a safe environment for all Croatian citizens regardless of ethnicity, as well as equal access to social and economic opportunity. During the meetings it was clear that the continued presence of UNHCR throughout Croatia is essential to the confidence and welfare of displaced persons and returnees.

27. The Government of Croatia has not rescinded its Law on the Temporary Takeover and Administration of Specified Property as urged in resolution

1120 (1997) or restored tenants' rights to Serb displaced persons who lived in socially owned apartments. Property claims commissions established in the former Sectors remain ineffective in resolving claims filed by displaced Croatian Serbs wishing to return. Those issues adversely affect the willingness and ability of refugees and displaced persons to return to their homes, in both directions. The governmental Real Estate Agency has started to purchase Serb properties in Western Slavonia. It remains to be seen whether the Agency will give equal opportunity to Serbs and Croats to buy and sell property without discrimination. The possibilities for displaced persons to receive just compensation or to stay in the region, as provided in the Basic Agreement, have not been sufficiently addressed by the Government of Croatia.

Amnesty Law

28. In resolution 1120 (1997), the Security Council urged the Government of Croatia, inter alia, to eliminate ambiguities in the implementation of the Amnesty Law and to implement it fairly and objectively in accordance with international standards. While the Government of Croatia has publicly stated that it no longer possesses a "war crimes list" of persons in the region whose alleged criminal acts fall outside the Amnesty Law, this statement falls short of the obligation to reduce public anxieties by concluding investigations of alleged serious crimes against international humanitarian law with the participation of the United Nations and local Serbs. United Nations staff have spoken with Croatian officials who have confirmed that various prosecutors' offices have lists of Croatian Serbs who are either being investigated or have been charged with war crimes or acts of genocide.

29. Reports from international trial monitors raise doubts about the legal standards applied by some Croatian courts when dealing with alleged war crimes. In one particular instance, a Serb man was found guilty of genocide and sentenced to five years imprisonment in Osijek. Trial observers from the United Nations and other organizations concluded that there was insufficient evidence to substantiate the charges, and doubted the applicability of the genocide charge to the facts.

Maintenance of public safety and security

30. A police force that can discourage and control outbreaks of inter-ethnic violence is essential for Serbs who remain and for Croats who return to the region. Considerable progress has been made in the organizational establishment of the Transitional Police Force (TPF), which consists of 910 Serbs, 841 Croats and 52 members of other ethnic minorities. It operates under the close and, concerning the Croat TPF officers, increasingly needed supervision of United Nations civilian police. All senior positions reflect proportional ethnic representation.

31. TPF has shown considerable progress in its professional expertise. However, it does not enjoy significant confidence amongst either local Serbs or returning Croats. Its inter-ethnic cohesion is yet to be fully established and some Serb officers complain that they have been demoted, moved, dismissed or simply ignored because of their ethnicity. Several TPF officers have been found guilty of criminal charges, insubordination or harassment and have been

dismissed. Many local Serbs say that they dare not report abuses for fear of repercussions. There is substantial evidence that TPF officers are reluctant to take action against members of their own ethnic community. TPF has yet to demonstrate that it has the qualities to police effectively and impartially the multi-ethnic communities of the region.

32. With the withdrawal of the UNTAES military component, TPF will have sole responsibility for the maintenance of peace and security within the region. An increasingly liberal policy of access to the region, and the return of Croat displaced persons, will create situations that will test the ability of TPF to take prompt and effective action. While the number of complaints against individual TPF officers has been manageable, outside the region there have been reports of Croatian national police harassment of Serbs and failure to provide security to Serbs living or travelling outside the region. In the absence of local confidence and evidence of the ability of TPF to control inter-ethnic tensions, it is essential that it continues to operate under the authority of the Transitional Administrator and day-to-day control of the United Nations civilian police.

III. BILATERAL ISSUES

33. In its resolution 1120 (1997), the Security Council stressed the importance of achieving bilateral agreements with the Federal Republic of Yugoslavia on a liberal border regime in the region and demilitarization. After several postponements, a "soft border regime" agreement was signed by the Foreign Ministers of the Federal Republic of Yugoslavia and the Republic of Croatia on 15 September; the agreement will enter into force on 1 November. If fully implemented, the agreement will be crucial for stability and public confidence. However, it does not appear to cover new border-located municipalities established in the region before the elections on 13 April. It may be problematic also for Serb displaced persons in the region to obtain appropriate border passes since their personal Croatian documents show their original municipalities elsewhere in Croatia as their present place of residence. Croatian authorities have stated that this problem will be addressed.

34. Pending implementation of the agreement, UNTAES is maintaining a "free border" policy, with limited controls to deny transborder criminal activity. The functioning of TPF and of the reintegrated Croatian customs service is monitored by UNTAES border monitors. A modified customs regime has been established, which temporarily allows the tariff-free importation of a limited number of items deemed essential to the economy of the region prior to full-scale commercial links with the rest of Croatia.

35. The Transitional Administrator has encouraged representatives of the Federal Republic of Yugoslavia and the Republic of Croatia to enter into bilateral consultations on the long-term demilitarization of the border zone. Croatia's position is that it is ready to enter into talks on demilitarization but will not initiate them. Croatia states that it has no fears or concerns about the military status of the border area and does not see it as a real problem for reintegration of the region. The position of the Federal Republic of Yugoslavia is to support a freeze in place of military assets. If an

agreement on the issue is not reached before the end of the UNTAES mandate, it may have serious implications for both local confidence and stability and the evolution of normalization at the border between the two countries.

IV. HUMAN RIGHTS

36. Observance of the highest international standards of human rights is guaranteed in the Croatian constitution and reaffirmed in the Basic Agreement. To improve monitoring of this important issue, in early August 1997, the Human Rights Monitoring Unit of UNTAES became fully functional on the basis of arrangements agreed with the Office of the United Nations High Commissioner for Human Rights.

37. Numerous cases of human rights violations have been identified. While there is no pattern of gross human rights violations in the region, the cumulative effect of the violations described below and the discriminatory practices referred to elsewhere in the present report, is such that Serbs in the region have little confidence in the will of the Croatian authorities to protect them after the departure of UNTAES. Confirmed human rights abuses include unfair trial procedures in war crimes cases; attacks on Serb displaced persons from the region in other parts of Croatia either by Croat police officers or with their apparent collusion; abuses by Croat TPF officers, usually involving harassment of Serb displaced persons; and discrimination against Serbs in areas such as education, employment, pensions and health care.

38. On 1 June 1997, under the authority of the Transitional Administrator, Croatian law became effective in the UNTAES region even though the reintegration of the judicial system is still pending. At present, Croatian law is administered by the former local courts. This has delayed the resolution of the unduly prolonged pre-trial detention of several inmates at the Beli Manastir prison, some of whom have expressed their wish to be tried by a Croatian court. A review of these cases by the Croatian Supreme Court resulted in one person being released, but the other cases remain unresolved.

39. Reports of intimidation and harassment of Serb displaced persons by Croats from outside the region have increased during the past two months. These have included repeated visits by Croat owners to houses occupied by Serb displaced persons, sometimes accompanied by TPF officers or municipal officials, verbal abuse, threats and warnings. Many Serbs have received telephone calls, sometimes repeatedly, threatening violence or death. The active or passive involvement of TPF officers in harassment or intimidation is a destabilizing factor.

40. At the same time, the behaviour of Croat police officers in other parts of Croatia may deter Serbs from returning there. Serbs from the region have been attacked by Croats while visiting other parts of Croatia and have failed to receive protection or support from Croatian police officers. In one case, the assault was carried out by a retired Croatian police officer inside a police station and resulted in identical charges being brought against the victim and the perpetrator. In three other instances, the police were called to the scene

but failed to detain the perpetrators, who were still present, and in one case held and interrogated the victim.

41. Another concern that could affect the willingness of Serbs to reintegrate into Croatian society is related to the Croatian media. Hate speeches against Serbs can be found in a number of periodicals freely available in the marketplace despite prohibitions against such speech in Croatian and international law.

42. Members of families of mixed origin who stayed in the region throughout the war are facing potential discrimination in exercising their right to employment. Between 1991 and 1997, many in this category lost their jobs or were replaced by Serbs. Now, they are in a disadvantageous position. They are not entitled to the privileges pertaining to Croat displaced persons because they spent the war years inside the region. They do not benefit from the protection afforded by the recent agreements on employment because they were not able to work under Serb rule.

IV. RESTRUCTURING OF THE UNITED NATIONS TRANSITIONAL ADMINISTRATION FOR EASTERN SLAVONIA, BARANJA AND WESTERN SIRMIUM

Military

43. In accordance with resolution 1120 (1997), the military component of UNTAES has been reduced from 5,000 to 2,530 personnel. The Pakistani and Jordanian battalions and the Argentine Reconnaissance Company were repatriated between 15 July and 12 August. The remaining Russian and Belgian battalions took over the areas of responsibility of the departing units. The security situation in the region enabled the preparation of plans for the further drawdown of the military component. The withdrawal of the military component from the checkpoints between the region and the rest of Croatia was completed on 15 September. Control of these checkpoints is now the full responsibility of TPF, supervised by the United Nations civilian police.

44. Current UNTAES military activities focus on creating the conditions to facilitate the reintegration and reconciliation process while supporting the safe return of displaced persons and refugees. UNTAES military engineers and the mine action centre, working in close cooperation with the Government of Croatia, have been responsible for the management and monitoring of demining activities throughout the region; more than 150 kilometres of railroad, 75 kilometres of high-power lines and 10 villages have been demined. The military component has also supported the weapons-buy-back programme sponsored by the Government of Croatia through which approximately 10,000 rifles, 7,000 anti-tank weapons, 15,000 grenades, 2 million rounds of ammunition and numerous mines and other explosives were collected over a one-year period.

United Nations military observers

45. The United Nations military observers provide information on the security situation within the region through close contacts with the community and former military commanders. They maintain close liaison with the Croatian military forces and police in Osijek and Vinkovci and have increased patrols along the former zone of separation and other likely areas of tension, which has acted as a deterrent to civil disobedience. The military observers have continued to provide extensive support to UNTAES programmes by facilitating the two-way return of displaced persons, identifying vacant houses and monitoring human rights issues. With the withdrawal of UNTAES battalions, the military observers will assume greater responsibility for monitoring the security situation.

United Nations civilian police

46. In view of the need for continued supervision of TPF, it has not been possible to execute the drawdown of United Nations civilian police as proposed in my report of 23 June. Consequently, the United Nations civilian police will stay at its current actual strength of 400 in order to continue to monitor all TPF operations, including the special operations unit, the river patrol unit and the control of checkpoints and border crossings, as well as conducting patrols throughout the region, special investigations and court and prison monitoring. The continuation of the civilian police component at its present strength will require the maintenance of 120 language assistants, which is 36 above the number originally planned at this stage of restructuring of UNTAES.

VI. OBSERVATIONS

47. In my report of 23 June, I observed that the institutional reintegration of the territory of the region was being finalized but the reintegration of its people had hardly begun. The residents of the region have placed their trust in the commitments made by the Government of Croatia under UNTAES auspices, but they remain apprehensive and unsure that those commitments will be implemented and maintained.

48. In its resolution 1120 (1997), the Security Council endorsed plans that would lead to the timely and successful transfer of authority over the region to Croatia within the period envisaged in the Basic Agreement. As the Council underlined, the essential prerequisite for the successful completion of peaceful reintegration is the full cooperation of the Government of Croatia, which bears the ultimate responsibility for convincing the local population that their reintegration is sustainable and that the process of reconciliation and return is irreversible.

49. Croatia has made significant achievements in formal and technical aspects, such as the reintegration of State institutions. However, its cooperation in integrating the people of the region and implementing agreements important to their long-term rights and welfare has been less apparent. The Security Council expressed in the statement of its President of 18 September (S/PRST/1997/45) its deep concern at the lack of substantial progress by the Government of Croatia in

fulfilling the conditions and tasks that were key to the transfer of executive authority in the region to the Republic of Croatia.

50. Of fundamental concern is that no attempt has been made by the Government of Croatia to lead and support a national programme of reconciliation and confidence-building. The political leadership has yet to prepare the population, at a minimum, to coexist peacefully and to begin to rebuild functioning multi-ethnic communities in the region. The need for such a programme is evident to avoid ethnic harassment, in the region and throughout Croatia, as displaced persons return home.

51. It must be emphasized that full implementation of agreements and commitments can be achieved quickly through appropriate action by the Government of Croatia. However, a review of Croatian actions, not words, over the past two months shows substantial deficiencies and a lack of political will. The UNTAES exit strategy appears to have been taken as the goal of Croatian activity rather than the means by which the local population can be reassured sufficiently to enable transfer to authority to Croatia and a seamless transition to long-term international monitoring.

52. However, in recent meetings with the Transitional Administrator, the Government of Croatia has stated that the successful termination of UNTAES by 15 January 1998 is one of its highest State priorities. On 23 September, the Transitional Administrator was informed by the Prime Minister of Croatia that the Government of Croatia had decided to cooperate fully with UNTAES to resolve swiftly all remaining issues of contention and non-performance. The Transitional Administrator welcomed the belated commitments and offered full UNTAES cooperation to enable the Government to turn its promises into concrete action.

53. Over the following 48 hours, Croatian commitments left unfulfilled for months were reconfirmed and several stalled negotiations were brought to rapid conclusion. These included commitments on education, reintegration of the judiciary, functioning and funding of the elected bodies and the provision to UNTAES of some documents relating to 25 convictions for alleged war crimes.

54. Local Serb leaders have expressed satisfaction that the technical conditions for the completion of peaceful reintegration are in place but insist that the Basic Agreement has not been implemented fully and consistently and that several commitments in the Croatian letter of 13 January and subsidiary written agreements have not been fulfilled. In a letter dated 14 September, the President of the Independent Serb Democratic Party and the President of the Joint Council of Municipalities requested a continued United Nations presence in the region in the post-UNTAES period.

55. However, the performance of some of the local Serb leadership has been passive and lacklustre. They have not fully utilized the rights given to Serbs in the Croatian letter of 13 January. They have shown little vigour or initiative in encouraging the population to take advantage of Croatian programmes and have slowed progress in some areas, including in giving their approval for Serb school textbooks to be printed. It has been left to UNTAES to urge prompt registration of local businesses, plan and execute multi-ethnic

confidence-building activities and to prepare the way for the return of Croats to the region.

56. Deficiencies in Croatian cooperation and performance over the past two months have delayed the decision by the Transitional Administrator that conditions have been achieved for the transfer of authority to Croatia. The first phase of the exit strategy has not been completed and authority cannot be handed over at the present time. It is his considered view that transfer of authority over the region to Croatia at the present time would jeopardize the achievements made, but that the Government of Croatia can meet its obligations and commitments if it applies itself with sufficient diligence in the time remaining.

57. In view of the calm and stable military situation in the region, the Transitional Administrator considers that the second phase repatriation of the military contingent of UNTAES can start on 15 October and be completed by 15 November, leaving 720 military personnel plus a platoon guard of 45 men at Pleso. However, because conditions have not yet been achieved to enable the full integration of TPF into the Croatian police force, the present actual civilian police strength of 400 will be required at least until 15 January 1998. It is also essential that the number of United Nations military observers remains unchanged at 100.

58. UNTAES will continue close cooperation with the Organization for Security and Cooperation in Europe (OSCE) to assist in establishing the intended long-term mission of OSCE in Croatia. In that context I am aware of concerns that have been expressed that sufficient and adequate resources would need to be made available to carry out the highly important and resource-intensive police monitoring function beyond 15 January 1998.

59. Much has been achieved since the establishment of UNTAES in January 1996. It will be greatly to the credit of Croats and Serbs alike if they can demonstrate a readiness to work together in the future. But, as the present report has shown, there are too many occasions on which promises are not being kept and confidence is being undermined.

60. I share the assessment of the Transitional Administrator that there is sufficient time for Croatia to improve further its performance and to comply fully with its obligations before 15 January 1998 when the Council must decide on the future of UNTAES. The recent renewed commitment of the Government of Croatia must be put into practice immediately to establish sufficient confidence that the termination of the UNTAES mandate can be achieved without jeopardizing the results of two years of intensive international investment in the process of peaceful reintegration of the region and its people. I propose to report further to the Council on the progress of the reintegration process by 8 December 1997.

61. In conclusion, I should like to pay tribute to the Transitional Administrator, Mr. William Walker, and to the dedicated civilian and military personnel of UNTAES for their performance, commitment and service to the international community.